The New REPUBLIC

A Journal of Opinion

VOL. LVIII NEW YORK, WEDNESDAY, APRIL 24, 1929 NUMBER 751

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The Week

AS MR. J. M. KEYNES has pointed out, the German government has but one possible concession to bargain with in the reparations conference—the abandonment of the safeguarding clauses in the Dawes Plan. But that is a most important one. No matter how much larger the Dawes annuities may be on paper than the payments under any new scheme, they cannot and will not be transferred if their payment should endanger the exchange value of the mark. And the exchange value of the mark would undoubtedly have been endangered, and payments would have been well-nigh impossible, long before this, if foreign loans had not been poured into the Reich. The future continuance of these loans in any such volume is problematical. That is one of the chief reasons why the Allies are asking for a revision of the plan which may in some way commercialize the debt and thus get rid of the safeguard, even if thereby both the reparations total and the annuities must be considerably reduced. But if Dr. Schacht and the other German authorities believe the demands submitted are too large to permit a safe promise of performance, they have but to stand pat on the Dawes Plan and let it go on to its probable futility as a way out of the reparations muddle. Indeed, it is to the ultimate interest of all concerned that, if the safeguard be eliminated, the payments be well within German capacity. It would be better for the Dawes Plan to remain in force and reparations to be reduced to a mere trickle than for the economic stability of Germany to crash under a new arrangement, with disastrous effects throughout Europe.

THE League's Preparatory Commission on Limitation of Armament has opened another session at Geneva, with the usual gloomy certainty that nothing will be accomplished unless perhaps secretly, behind the scenes. The Great Powers are not ready to disarm. They will not curtail armies at all, and if they circumscribe auxiliary naval craft, which did not come under the terms of the Washington Conference, they are unlikely to do so at any such general conference as this. From all parts of the world petitions have poured in, asking that real steps toward disarmament should be undertaken at once; but beyond indicating that war, and taxation to support war machinery, are unpopular with some of the people some of the time, these memorials have little actual importance.

THE opening of the conference brought the customary barrage of press reports from London and Washington that either the British or the American government is preparing to make a fresh proposal as to cruiser limitation, the specific issue which caused the breakdown of the Geneva conference of 1927. So far as the United States is concerned, these stories were denied with a promptness and vehemence which discredits the theory that they were put forward as trial balloons. There are several facts which any interested citizen might paste in his hat and recall when the next crop of such rumors appears. (1) The United States is not

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likely to make proposals on the very brink of a British general election, an act which would certainly be interpreted as designed to help the present Tory government to stay in power. (2) With the memory of the Geneva fiasco in mind, neither government is likely to make any public approach until assured privately that there is a real basis for agreement. (3) The Kellogg pact has changed the whole character of the problem, emphasizing its political and decreasing its technical aspects.

WHATEVER else may be said of the action of the Federal Reserve Board in the speculative credit crisis, its apparent backing and filling seems to be getting on the nerves of business. For months, the rediscount rate has been below the open market rate, although central banking practice throughout the world is to keep the rediscount rate above the market rate, in order to protect the reserve and discourage borrowing from the central banks except in case of necessity. Nearly all experts are in favor of a rise in the rediscount rate. When the history of the present financial period is written, there will be few to join stock manipulators like W. C. Durant in criticizing the Board for too drastic action to check the absorption of credit by the speculative market, and many to say that its action was not drastic or early enough. A recent survey of business opinion by the New York World made it clear that a large number of industrial leaders support the Board's desire to make credit easier for business by a liquidation of brokers' loans. Yet uncertainty as to what the Board is going to do is a distinctly unsettling factor. Meanwhile the Board is being made the scapegoat for the very credit stringency which speculation has caused, and which it declares it wishes to alleviate. Is not the time over-ripe for a firm rediscount policy? The speculative public, if it is left in no doubt as to what action the Board may take, will surrender so much more quickly, and business may expect an earlier end to the danger which faces it, even if the tightness of money should temporarily be increased.

SECRETARY WILBUR'S proposal to facilitate oil conservation through an interstate compact which would permit the coöperative exploitation of pools is a good suggestion, and should be followed. Such a compact would prevent the competitive impulses of one or more oil-producing states to make hay while the sun shines by enlarging their revenues through the taxes on unlimited production. By the same token, it may be a difficult agreement to achieve. We differ with the administration if it proceeds on the assumption that in the meantime the federal government can and should do nothing. Mining, pure and simple, may possibly be beyond the scope of federal laws regulating interstate commerce, though decisions in recent labor cases throw doubt on that conclusion. The great marketing and refining companies, however, certainly affect interstate commerce when they agree to limit production on the whole American continent. It would unquestionably be a federal prerogative to pass legislation permitting such action, under adequate regulation. And if a law of this type also carried provisions permitting coöperation in drilling operations, it could do no harm, and might do a lot of good.

IN providing for the census of 1930, one of the tasks which the extra session of Congress may undertake, the legislators should not overlook the recommendation of a committee of the American Statistical Association that a count of the unemployed be taken. We have never known how many were unemployed in the United States at any one time. Therefore, index numbers which indicate the growth or decline of employment have little quantitative value; there is no bench-mark from which to measure. In addition, an intelligently conducted survey on any one date could tell us much of value about the various types of unemployment, its causes and nature. Careful definitions would of course have to be adopted. It goes without saying that information of this sort, which could be obtained only once in any decade, would be no substitute for the benefits we might gain from a coördinated national system of free employment offices. That would give us relevant information promptly at all times, and it would by its very existence tend to reduce the number of unemployed, and prevent waste in changing from one job to another.

TWICE a year, the United States government requires every newspaper to publish a list of all stockholders who own one percent or more of its shares. A few days ago, The Herald and The Traveler, two important newspapers of Boston, complied with this law and revealed the fact that three months earlier, about 50 percent of their stock had been bought by the International Paper Company of New York, a huge corporation which manufactures and sells the most important raw material used in newspaper manufacture. The I. P. C. alleges that its sole reason for the purchase—which undoubtedly carries with it control of the property—is to insure itself a steady customer for its paper. No sooner had the sale been consummated than these journals signed a contract with their new owner for 30,000 tons of "news print," to be used in 1929. Here is a development of the "vertical trust" idea which, so far as we can learn, is new. Important publishers have, before this, bought paper mills, but paper mills have not become publishers. It is fair to assume that the ideal now before the editors of these two newspapers will be to publish the hugest blanket sheets possible, which is by no means impracticable. Within limits, any newspaper may make money either by having high advertising rates (in view of circulation) and small advertisements, or lower rates and larger advertisements. If the

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new policy of the I. P. C. is continued, we may approach the realization of the cartoonist's vision, with the Sunday newspaper delivered by motor truck and derrick.

THERE IS, however, a still more serious aspect to the sale of those Boston papers. It is charged, on excellent authority, that the International Paper Company is itself a subsidiary of a great electric power combine. The Boston Post points out that the company's stock is virtually all owned by the International Paper and Power Company, "which in turn owns a great chain of power companies. . . . It is one of the greatest factors in the power business in the United States. It virtually controls the power situation in New England." The International Paper Company, we are told, has already purchased other papers than the two in Boston, and gives every sign of continuing this policy. Such a development is undesirable in the highest degree, from the standpoint of public policy, for at least three reasons: (1) It represents an extension of the idea of "chain ownership" of newspapers which, while it has certain advantages, has also the grave disadvantage that it puts one man or one corporation in control of vast forces capable of swaying public opinion on important public issues. (2) It is a camouflaged ownership, which, even in its camouflaged form, was kept secret as long as possible. (3) The revelations before the Federal Trade Commission last year showed that the power trust throughout the United States has been spending many millions of dollars annually in efforts to create sentiment hostile to government ownership and operation, and favorable to the existing giant corporations. Under such circumstances it is outrageous that any organization even closely allied with the electric industry should go into the business of buying up newspapers, becoming, so to speak, a vertical trust for the manufacture of power, paper, newspapers and opinion. The Federal Trade Commission has not yet completed its study of the industry. Here is a phase of the matter as to which light is urgently needed.

TEN YEARS ago last week, the Theater Guild came into existence. When it gave its first performance of its first play (Benavente's "Bonds of Interest") it had some 150 subscribers, a lease on an out-of-the-way theater, and no money at all. Today it is hugely prosperous, with more than 30,000 subscribers in New York and almost an equal number in the half-dozen other cities, each of which now has an annual Guild season; it owns one of the finest New York playhouses, and often uses others for its productions, of which it sometimes has three or four running simultaneously. It is George Bernard Shaw's American producer; it has kept "Strange Interlude" on the boards for more than a year; and when St. John Ervine calls it the most important theatrical organization in the world, and mourns the lack of anything like it in London, no one rises to dispute his view. That the Guild has plenty of imperfections, its directors (noted for their candid self-criticism) would be the first to admit; yet whoever reviews the record of its first decade must concede that it has been of inestimable value in accelerating the process, so much more badly needed ten years ago than today, by which good plays and good audiences are introduced to one another.

PRESIDENT STRATTON of the Massachusetts Institute of Technology is resolved that students under his care shall not learn to think for themselves if he can help it. The M. I. T. Liberal Club recently applied to the Registrar of the Institute for a room in which to hold a debate on "Military Preparedness." The names of those who had been asked to speak and the nature of the discussion expected were submitted for approval. The Registrar replied, in the feudal manner of our college lords, that discussions at M. I. T. on religion, politics, and militarism were looked on with great disfavor and were therefore inadvisable. Having chewed on this answer for some time and found no meat in it, the Liberal Club appealed to President Stratton. The President repeated what the Registrar had said, and to spare the Club the trouble of holding its debate, generously expounded a view as to military preparedness that is henceforth to be the only orthodox view at the Institute: there is no argument about the question, the President explained, for every intelligent person knows that preparedness is the only way to peace; discussion would merely provoke confusion and ill-feeling.

PRESIDENT Stratton also made it clear that he suspected the Liberal Club of being, not an open forum for discussion of important questions, but an agency for disseminating radical ideas. As a matter of fact, the Liberal Club seems to have stuck closely to the policy of free inquiry into social problems, for which it was organized. In the present case, it decided, with more strategy than gallantry, not to resist President Stratton's drill-sergeant methods for preventing the spread of ideas of any kind. The Club has announced that it is only biding its time: when it has become more established in the Institute, it will fight more vigorously for the ordinary privilege of discussing important questions which every citizen of this country, in the twentieth century, is supposed to enjoy without having to fight for it, even though President Stratton apparently thinks otherwise.

ALTHOUGH the new retirement legislation for civil-service employees received a unanimous vote in both Houses of the last Congress, it failed to become a law. Since the life of the Congress expired on the fourth of March, the bill will have to be passed all over again before it can come before President Hoover for his signature. The federal em-

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ployees have therefore petitioned the President to include this business among the duties of the special session. There is every reason why he should do so. Although the law was urgently necessary to bring the practice of our government in this respect up to the standards even of private employers, to say nothing of states and municipalities, the penurious and narrow-minded policy of the Coolidge administration succeeded in delaying it until some of the pensioners are in dire straits. In view of the excellent humanitarian sentiments expressed by Mr. Hoover throughout the campaign and in his inaugural address, the federal employees are entirely in order in suggesting to him that "charity begins at home"—though adequate retirement provision is not, of course, charity, but a sound business policy, half the cost of which is paid by the employees.

THE National League of Women Voters has lately been engaged in two commendable enterprises. Its New York section has been conducting a special conference on municipal problems, at which some of the country's leading experts have discussed such concrete matters as traffic congestion, public health, control of utilities, and street-car fares. At the same time the national organization of the League is experimenting with the use of radio broadcasting as a genuinely educative force. Its "Voters' Service" is, as our readers know, one of the few non-musical features on the air worth hearing; and it has now supplemented this with a special series of broadcast discussions which it calls a "Radio Citizenship School" in which are discussed such topics as "Tariff and Living Costs," "Federal Reorganization," and "The Party System and Legislative Bodies." The League organized groups all over the country who listen in and afterward discuss the subjects presented. In our day, when every aspect of administration is growing more and more obscured in a cloud of technical details, it is only on the basis of such specific information as the League of Women Voters is putting into its members' hands, that the public can exercise any effective influence in politics.

Farm Relief in the New Congress

THE necessity for calling the special session of Congress arose from President Hoover's promise, during the campaign, to summon it in order to pass farm-relief legislation. The injection of tariff revision into its program arose incidentally. It came, first, from the Republican argument that higher tariffs on farm products would provide succor. Industrial interests bent upon higher protection for themselves then made use of this entering wedge in order to demand readjustments on manufacturing duties as well. The farm representatives will have to be wary, therefore, if a session called ostensibly to benefit them is not converted into one which will add to the burdens of the farmer.

President Hoover's message clearly favors the farm program embodied in the Republican committee draft of a bill introduced into the House of Representatives. This provides for a Farm Board to investigate the subject, to aid farmers' coöperatives by credit and insurance, to help clear the distributive channels of waste, and to further other measures of improvement. The bill is as significant for what it excludes as for what it includes. It definitely avoids machinery for dumping surpluses abroad such as was contained in the McNary-Haugen Bill, or any proposed substitute to achieve the same end. Any contribution which it may make to relieving the low prices of farm products caused by surplus production will therefore be indirect and take many years to effectuate. It is a measure, not to relieve in the emergency sense, but to attempt building for the long future.

The administration bill will have to compete with another proposal, which stands a fair chance of being embodied in Senate legislation. This is the debenture plan, devised as a more workable substitute for the equalization fee of the McNary-Haugen Bill, now abandoned at the behest of the administration. The supporters of the debenture, like the previous supporters of the equalization fee, squarely face the problem of dealing with exportable surpluses in such a way as to equalize the effect of the tariff upon agricultural staples with its effect upon manufactures. They recognize, as has been demonstrated many times by authoritative economists, that no tariff can raise the domestic prices of products like wheat or cotton, of which there is a large surplus for export, unless special measures are undertaken to make it do so. The measure advocated is to create some agency which can buy enough of the United States crop to raise its price to equal what that crop brings on the world market, plus the protective duty. The agency could not, of course, resell in this country if the protected price were to be maintained. It would have to sell abroad, and so would have to sell at the world price. The problem is, how to meet the loss involved in buying, for example, wheat at $1.40 a bushel and selling it at $1. The McNary-Haugen Bill solved this problem by the equalization fee, intended to charge the loss back to the producers. Since these producers would have sold much more wheat at the domestic price of $1.40 than was sold abroad at $1, they would have had a net gain by the transaction. But the equalization fee would be clumsy, if not impossible to administer, and has been officially banned. The debenture was invented to take its place.

According to the debenture plan, exporters of a staple crop would receive from the central agency debentures equivalent to the protective duty on what they sold. Thus, if an exporter sold abroad 1,000 bushels of wheat, and the duty on wheat were forty

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cents a bushel, he would receive debentures worth $400. These debentures would be accepted in payment of import duties on any product. Thus the exporter could cash them by selling them, at a slight discount, to an importer. He would then have received for his wheat the world price plus the duty and could pay the farmer accordingly. The money to compensate him for the difference between the foreign and domestic prices would come from the tariff revenues of the government. This would, in effect, constitute a subsidy out of taxation. But the supporters of the plan argue that, since the protective tariff is not imposed primarily for revenue, but for its stimulating effect on the industries protected, this would not interfere with its purpose. There is little doubt that the debenture plan would work. It would make the tariff effective on agricultural staples of which there is a large surplus for export, just as it is effective on manufactured articles which rely almost entirely on the domestic market, or whose sale is so controlled by monopolistic concerns that they can be sold at a higher price at home than abroad.

There is no question that the effect of the tariff cannot be equalized as between agriculture and manufacturing except by some such device as this. The administration has no good answer to the argument that an unsupported tariff cannot much benefit the great staples. It does contend, to be sure, that tariffs on articles like sugar and dairy products, which are temporarily produced in small enough quantities in this country so that they may benefit from import duties, would divert sufficient productive effort from the staple crops so that the latter need depend less on the foreign market. But that is a delusive argument, since long before the production of wheat, cotton and the rest were so reduced that there would be little or nothing for export, the production of sugar beets and cane, dairy products, etc., would be so enlarged that they, too, would have to export and would lose the benefit of protection.

The administration bill may confer help on agriculture in the long run, and if nothing better is available it should be accepted. But it is not farm relief in the sense in which the agricultural bloc has sought relief for so long. It cannot remove the tariff discriminations which exist. If, therefore, the congressional majority and the President will not accept the debenture plan, those who have the interests of the farmers most at heart have but one clear course to pursue. "Since you will not give us tariff relief," they might say, "our only alternative is to refuse to allow any increases in duties on the products which the farmers must buy. Indeed, we must press for a reduction of those duties." And in adopting this attitude, the farm representatives should be wary, not only of a general upward revision by Congress, but of Mr. Hoover's proposal to give the Tariff Commission additional authority to change duties, and to change them more quickly. That proposal looks suspiciously like creating an agency to which any favored industry may run for a higher tariff when it thinks it needs one, and have its way without any public debate or any protection of the consumer at all.

If Congress does not pass the debenture plan, and at the same time opens the way for increased industrial tariffs, the majority of the farmers will have been badly buncoed. But we are convinced that even the passage of the debenture plan would not be as beneficial to agriculture in the long run as a movement in the direction of lower tariffs. For prices artificially increased by import duties are bound to stimulate production, unless production can be effectively limited. Most manufacturing industries have, and bid fair to retain for a long time, an advantage over agriculture in organized control of their output and markets. Indeed, the dangers of uncontrolled production are what tend to undermine every form of agricultural relief, whether it be credit, coöperation, diversification, clearing the channels of distribution, or something else. With tariff discrimination removed by lowering the duties on manufactured products, agriculture could pay more attention to its basic problem of improving its organization. And not only agriculture would benefit, but also that great majority of our population which, like the farmers, cannot be protected—including coal miners, railroad men, the great building industry, public utilities, the professions, most printers, publishers and newspapers, most of those engaged in trade and distribution—in fact, all but a surprisingly few manufacturing firms which have a virtual monopoly of their markets, or are not in any degree dependent on foreign sales.

Mr. Coolidge and Grub Street

THE QUESTION of what to do with ex-Presidents has arisen in an especially acute form in the case of Mr. Coolidge because of the grave disproportion between the magnitude of the man and that of the office. For nearly five years the press of the country, with few exceptions, has been engaged in producing a wholly mythical Coolidge—a creature so magnificent as to be practically beyond criticism. So long as he remained in the White House and could appoint postmasters, the illusion was complete. His retirement to a much smaller residence and the transference of the federal patronage into other hands would have been at the best a severe shock to the Coolidge myth. Even the most devout Republican editor could whip up only a perfunctory enthusiasm for a Coolidge with nothing to give away. All the editors are too busy trying to figure out the political pay dirt to be had from Mr. Hoover. Under the circumstances the wisest thing our ex-demi-god could have done would have been to fade as completely as possible, at least for the time being, out of the picture. He himself not being visible, his diminutiveness would not then have been painfully apparent. In time his actual

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qualities and personality would have dawned by degrees upon his countrymen, and he would have been remembered, if not as a great President, at least as a man with an interesting New England twang and the makings of a good village selectman.

Above all, Mr. Coolidge should not have plunged into authorship. Notwithstanding the fact that in 1895 he won the $150 gold medal offered by the Sons of the American Revolution for the best essay written by a senior in an American college on the causes of the Revolution, his calling is not to the written or spoken word. His speeches and state papers have been without exception turgid and platitudinous. Without the glamor of the position into which he was accidentally thrust, he might have peddled his literary wares to every editorial office in the country without having a nibble. This is not to his discredit, for some of the best husbands and fathers and some of the soundest business men have been but indifferent writers. But it casts a glaring light upon the capitalizing of his experience and reputation in which Mr. Coolidge has been engaged since March 4. The blame does not rest solely upon him. It rests in part upon the editors who tempted him with what seem to have been large rewards. Nevertheless, he has been terribly ill-advised, particularly in retailing his articles to the scheming and cynical Hearst. For it is obvious that what Mr. Coolidge is selling is not himself, but the factitious glitter of the presidency.

Of the nature of the material itself it is perhaps as well not to speak. We are inclined to think that some of the personal references contained in it were made under editorial coaxing and are alien to Mr. Coolidge's nature. At his best he has the gift of reticence. The fact is, however, that, regarded in as amiable a light as possible, he did allow himself to be exploited—and at such-and-such a sum per word. The spectacle of a President dickering with publishers in conferences at the White House, or of an ex-President doing the same thing in a room in a New York hotel, is not scandalous, but neither is it edifying. We suspect that Mr. Coolidge himself would find this criticism baffling and unfair. He would apply to it the same logic which led him to remark of the Allied war debts to the United States, "Well, they hired the money, didn't they?" The attitude is perfectly correct, according to the traditions which flourish among small business men in New England hill towns. Thrift is a virtue. An honest penny is an honest penny. A pin a day is a groat a year. A man who does not sell his goods in the highest market is a fool. But these principles, sound enough in disposing of apples, are singularly inadequate for the recent chief executive of a nation of one hundred and twenty million people. They are inadequate, even though no one accuses Mr. Coolidge of putting his biggest apples on the top of the barrel.

It may be argued that Colonel Roosevelt capitalized his reputation, after leaving the presidency, by becoming an editor of The Outlook, and that he was not assailed for so doing. But even Mr. Roosevelt's severest critics did not maintain that he did this for the money there was in it. By the best interpretation, he had something he very much wished to say. By the worst, he was led by personal ambition to keep himself and his ideas before the public. But Mr. Coolidge has associated himself with no program and no doctrine other than the negative one of leaving things alone. He has not now and never had a single constructive idea to advance. This, again, is not a defect of character. It is, however, an excellent reason for not listening to the jingle of Mr. Hearst's money bags. Mr. Coolidge's contract with Hearst is exactly in the same category with Captain Fried's endorsement of Lucky Strike—or was it Old Gold?—cigarettes. It is undoubtedly an honest bargain, but it is in thoroughly bad taste. It makes one regretful for Mr. Coolidge's own sake.

The problem of what to do with ex-Presidents is, as we suggested in our first sentence, a difficult one. They cannot all hunt lions in Africa, become members of the Supreme Court, or retire gracefully as gentlemen farmers. A generous pension would remove the financial temptation to exploit the presidential experience, but it would not furnish the occupation which even an ex-President requires. But we are quite sure that dishing up warmed-over White House breakfasts for Mr. Hearst is no solution.

Impeachment or Persecution in Louisiana?

THE impeachment of a state governor represents a major event in American political life. The process of impeachment is an ingenious device; the lower house, or assembly, brings charges while the upper house, or senate, conducts the "trial." The procedure resembles neither a court martial nor jury trial, but stands somewhere between. "The object of impeachment is not to punish for wrong-doing, but to put the individual out of the opportunity for further wrong-doing." If crimes or misdemeanors are involved, these can only be dealt with by the established courts. Impeachment, therefore, represents a thin balance between the executive and the senate. Under ordinary circumstances, it means that two-thirds of the senate have the power to remove a governor if charges brought by the lower house can be substantiated.

Historically considered, impeachment has served largely as a latent threat. There have been only twelve impeachments of state governors, and of these, only six were removed from office. (This figure of twelve includes Governor Johnston of Oklahoma, recently removed, and Governor Long of Louisiana, whose fate is still to be determined.) The point of significance, however, attaches to the fact that only seven impeachments were conducted

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in one hundred and twenty-six years, whereas five have occurred since 1913. There are sound reasons for believing that this procedure, which has in the past served largely as an unused check upon executives, is now to become an active political weapon. The dangers involved in this evolution are apparent and call for a new type of vigilance.

The current case of Governor Huey P. Long of Louisiana furnishes a laboratory specimen which should at once be placed under the microscope of political scientists. Most of the important facts are obscured. The urban press is opposed to the Governor, and the news which seeps out to the North is highly colored by this condition. Although impeachment proceedings have only recently begun, there was talk of impeachment even before Long was elected. He called a special session of the Legislature for the purpose of enacting a law levying an "occupational tax" upon oil refineries in Louisiana. His proposal was to levy a tax of one-seventh of one cent per gallon for all oil refined within the state. The Legislature, which was supposed to enact this law, responded by impeaching the Governor. The eighteen-day period for which the special session was called has already passed. Governor Long is specifically charged with bribing two members of the Legislature; in order to secure their vote for his measure, he is said to have offered these legislators government positions and favors with the banks. There are also other charges, some of an incredible and sensational character, but the impeachment is likely to fall or stand on the above charges.

The urban press, and numerous headlines in northern papers, have attempted to make the Governor appear as a demagogue because he blames his difficulties upon the Standard Oil Company. There appears, however, to be more than fiction in his claim. When the proposed "occupational tax" was suggested, the Standard Oil Company threatened to remove its refineries to another state. At the same time it announced its intention of spending some two millions of dollars on improvements at its Baton Rouge establishments. Now, the Standard Oil Company cannot be impeached for this type of economic pressure, which is innocent enough on the surface, but thoroughly sinister underneath.

But the Standard Oil represents only one of a large number of difficulties confronting Governor Long. Tremendous pressure was brought to bear upon him in the LeBoeuf murder case. He refused executive clemency and thereby earned the enmity of many; no woman and no member of the Masonic order had ever been executed in Louisiana before. There is also the famous "studio-party" episode which his opponents have capitalized. By a strange coincidence he attended such a party on the very night his militia were raiding gambling places in the environs of New Orleans, and although no damaging revelations were made with respect to the Governor's conduct, the incident served its sensational purposes. Col. Robert Ewing, proprietor of two of the most powerful papers in Louisiana, supported Long for governor and then, apparently, assumed the right to dictate his policies. He is now Long's most bitter enemy. These are all matters which confuse the underlying issue of this impeachment. Feeling runs high throughout the state, and people's beliefs are altered overnight. Under such circumstances, it is impossible to make clear discriminations. But this very confusion increases the necessity of observing this case in the light of its political significance.

Even the most partisan of Governor Long's friends do not completely exonerate him. Some of his actions seem certainly open to grave question, even though they do not justify the extreme measure now being taken against him. His friends also, and readily, admit his personal faults. He is not a kindly person. He is irascible and arrogant. His language, to put it mildly, is not gentle. Vindictiveness is one of his major traits. In short, he combines a number of personal characteristics which are destined to make him a troublesome politician. But a governor should not be impeached because of his personality. Indeed, the electorate had no illusions about him before his election, one year ago. He had served as a member of the state public service commission, and although his age is only thirty-five, he is well known throughout the state. (Some of his admirers insist that he was elected because of his "cussedness"!) There may be valid reasons for impeaching him, but these reasons have not yet appeared in the proceedings. In the meantime, the country as a whole might profitably turn its gaze toward the turbulent state of Louisiana. If Governor Long's enemies succeed in removing him from office on the grounds thus far presented, they will have set an example which may jeopardize the status of state executives throughout the nation. They will have demonstrated how to use impeachment, not for purposes of preventing wrong-doing, but for eliminating a political opponent. And, when the impeaching process becomes a tool for persecution, it will have become one of the most vicious of political devices.

THE NEW REPUBLIC

PUBLISHED WEEKLY AND COPYRIGHT, 1929, IN THE U. S., BY THE NEW REPUBLIC, INC., 421 WEST 21ST STREET, NEW YORK
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The House Divided against Itself

MORE than one person, in reading the Lynds' "Middletown," has been struck by the number of connections in which some large part of the population of that town finds itself "bewildered" or "confused." The appropriateness of this state of mind to American life today, this cross-section makes evident. It is becoming commonplace to say that in thought and feeling, or at least in the language in which they are expressed, we are living in some bygone century, anywhere from the thirteenth to the eighteenth, although physically and externally we belong to the twentieth century. That focus of American life called "Middletown" gives vivid freshness and fullness to this commonplace.

Anthropologically speaking, we are living in a money culture. Its cult and rites dominate. "The money medium of exchange and the cluster of activities associated with its acquisition drastically condition the other activities of the people." This, of course, is as it should be; people have to make a living, do they not? And for what should they work if not for money, and how should they get goods and enjoyments if not by buying them with money—thus enabling someone else to make more money, and in the end to start shops and factories to give employment to still others, so that they can make more money to enable other people to make more money by selling goods—and so on indefinitely. So far, all is for the best in the best of all possible cultures: rugged—or is it ragged?—individualism.

And if the culture pattern works out so that society is divided into two classes, the working group and the business (including professional) group, with two and a half times as many in the former as in the latter, and with the chief ambition of parents in the former class being that their children should climb into the latter, that is doubtless because American life offers such unparalleled opportunities for each individual to prosper according to his virtues. If few workers know what they are making or the meaning of what they do, and still fewer know what becomes of the work of their hands—in the largest industry of Middletown perhaps one-tenth of one percent of the product is consumed locally—this is doubtless because we have so perfected our system of distribution that the whole country is one. And if the mass of workers live in constant fear of loss of their jobs, this is doubtless because our spirit of progress, manifest in change of fashions, invention of new machines and power of overproduction, keeps everything on the move. Our reward of industry and thrift is so accurately adjusted to individual ability that it is natural and proper that the workers should look forward with dread to the age of fifty or fifty-five, when they will be laid on the shelf.

All this we take for granted; it is treated as an inevitable part of our social system. To dwell on the dark side of it is to blaspheme against our religion of prosperity. But it is a system that calls for a hard and strenuous philosophy. If one looks at what we do and what happens, and then expects to find a theory of life that harmonizes with the actual situation, he will be shocked by the contradiction he comes upon. For the situation calls for the assertion of complete economic determinism. We live as if economic forces determined the growth and decay of institutions and settled the fate of individuals. Liberty becomes a well-nigh obsolete term; we start, go, and stop at the signal of a vast industrial machine. Again, the actual system would seem to imply a pretty definitely materialistic scheme of value. Worth is measured by ability to hold one's own or to get ahead in a competitive pecuniary race. "Within the privacy of shabby or ambitious houses, marriage, birth, child-rearing, death, and the personal immensities of family life go forward. However, it is not so much these functional urgencies of life that determine how favorable this physical necessity shall be, but the extraneous detail of how much money the father earns." The philosophy appropriate to such a situation is that of struggle for existence and survival of the economically fit. One would expect the current theory of life, if it reflects the actual situation, to be the most drastic Darwinism. And, finally, one would anticipate that the personal traits most prized would be clear-sighted vision of personal advantage and resolute ambition to secure it at any human cost. Sentiment and sympathy would be at the lowest discount.

It is unnecessary to say that the current view of life in Middletown, in Anytown, is nothing of this sort. Nothing gives us Americans the horrors more than to hear that some misguided creature in some low part of the earth preaches what we practise—and practise much more efficiently than anyone else—namely, economic determinism. Our whole theory is that man plans and uses machines for his own humane and moral purposes, instead of being borne wherever the machine carries him. Instead of materialism, our idealism is probably the loudest and most frequently professed philosophy the world has ever heard. We praise even our most successful men, not for their ruthless and self-centered energy in getting ahead, but because of

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their love of flowers, children, and dogs, or their kindness to aged relatives. Anyone who frankly urges a selfish creed of life is everywhere frowned upon. Along with the disappearance of the home, and the multiplication of divorce in one generation by 600 percent, there is the most abundant and most sentimental glorification of the sacredness of home and the beauties of constant love that history can record. We are surcharged with altruism and bursting with desire to "serve" others.

These are only a few of the obvious contradictions between our institutions and practice on one hand, and our creeds and theories on the other, contradictions which a survey of any of our Middletowns reveals. It is not surprising that the inhabitants of these towns are bewildered, uneasy, restless, always seeking something new and different, only to find, as a rule, the same old thing in a new dress. It may all be summed up, perhaps, by saying that nowhere in the world at any time has religion been so thoroughly respectable as with us, and so nearly totally disconnected from life. I hesitate to dwell on the revelation that this book gives of "religious" life in Middletown. The glorification of religion as setting the final seal of approval on pecuniary success, and supplying the active motive to more energetic struggle for such success, and the adoption by the churches of the latest devices of the movies and the advertiser, approach too close to the obscene. Schooling is developed to the point where more pupils reach the high school than in other lands; and one-half of the pupils in the last years of the high school think that the first chapters of the Hebrew Scriptures give a more accurate account of the origin and early history of man than does science, and only one-fifth actively dissent. If the investigation had been made when a certain questionnaire was distributed among our school children, it is likely that the usual percentage of youth would have recorded their belief that Harding was the greatest man in the world. In another way, the whole story is told in brief when one contrasts what is actually happening to family life and the complete secularization of daily activities with the statement that "the three notable words in the English language are mother, home and heaven," a remark that would certainly pass unquestioned in any representative American audience.

It makes little difference whether one selects important or trivial aspects of the contradiction between our life as we outwardly live it and our thoughts and feelings—or at least what we say are our beliefs and sentiments. The significant question is: What is the cause of this split and contradiction? There are those, of course, who attribute it to the fact that people being, generally speaking, morons and boobs, must be expected to act out the parts to which they are assigned. The "explanation" does not take us very far, even if one accepts it. The particular forms that the alleged boobery takes are left quite unaccounted for. And the more one knows of history, the more one comes to believe that traditions and institutions count more than native capacity or incapacity in explaining things. It is evident enough that the rapid industrialization of our civilization took us unawares. Being mentally and morally unprepared, our older creeds have become ingrowing; the more we depart from them, in fact, the more loudly we proclaim them. In effect we treat them as magic formulæ. By repeating them often enough we hope to ward off the evils of the new situation, or at least to prevent ourselves from seeing them—and this latter function is ably performed by our nominal beliefs.

Of one thing I feel quite sure. It is not true that machinery is the source of our troubles. The machine supplies means, tools, agencies. It opens opportunities for planning and extends the ability to realize such ends as men propose. If we do not plan, if we do not use machinery intelligently on behalf of things we value, the fault lies with us, not with the machine. This fact underlies, I suppose, the contradiction in our life: with an enormous command of instrumentalities, with possession of a secure technology, we glorify the past, and legalize and idealize the *status quo,* instead of seriously asking how we are to direct and employ the means at our disposal. This is our great abdication. There is a strain of fear running through American life which controls our activities to an untold extent. We dare not act lest we upset something. This state of fear will, presumably, endure until we begin to plan our living in a systematic and collected way, which means of necessity a collective way.

What stands in the way is not a machine age, but the survival of a pecuniary age. The worker is tied helplessly to the machine, and our institutions and customs are invaded and eroded by the machine, only because the machine is harnessed to the dollar. We cling to old creeds, and we profess ideas and sentiments that have no real hold on our living activities, because a regime of pecuniary profit and loss still commands our allegiance. In this fact the contradictions of Middletown, that is, of Anytown, come to a unity. The cults and rites, the folkways and folklore, of a money culture form the patterns of our life, and in them alone our industrial practices and our sentimental ideals and theories harmoniously agree. Not till we have questioned the worth of a dominantly money-civilization shall we have a religion that is more than sentimental and verbal, and achieve an integrated life. This money domination is not peculiarly American; it is our chief institutional inheritance from the old world. Its evils are more acute with us just because we, more than other peoples, have command of the instruments and the technology with which to create, if we will, a new civilization.

JOHN DEWEY.

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Cleaning Up Chicago

THE political uprising, in April, 1928, which overthrew the apparently invincible Thompson machine, continued unabated into the November election. The control of the Sanitary District Board was wrested from the gang and an honest majority put in control; likewise the offices of sheriff and coroner. Judge John A. Swanson was elected state's attorney and has appointed as chief-of-staff Frank J. Loesch, the Cincinnatus of the occasion. Gray-haired, erect, seventy-seven years of age, this distinguished attorney, unexpectedly summoned from private life, continues his pursuit of graft and corruption through the ramifications of the combination known as the "Big Fix." No week passes without new disclosures of the depth of the surrounding political rottenness. The end is not yet, nor the bottom. There is little novelty in the technique of the local gangsters, but much primitive boldness. The imagination of the community was stirred by the trimming down of the pay-roll of the Sanitary District from 4,700 to 1,000 within a few days. But on the whole, the local exposures of crookedness would merely make a New Yorker or Philadelphian yawn.

How far the investigation may ultimately reach, and what success the attempts at conviction of notorious gangsters will have, are yet to be determined. The intricacies of the criminal law are such that, even with the best of intentions and the finest of ability, the results are often disappointing to those who hope for reform through criminal prosecution.

The effects of the political revolution are seen in every direction. The School Board has eliminated President Coath, beat a hasty retreat from its pseudo-patriotic stand, and begun to talk the jargon of efficiency. Police Commissioner Russell has asked the University of Chicago, Northwestern University, and the Crime Commission, to investigate and report upon the Police Department, and this inquiry will soon be on its way towards technical recommendations. The Cook County Board decided to appropriate adequate funds for the prosecuting attorney's office, a course of action found impossible before the revolution. The judges have become more zealous in their attack upon the crime calendars; in fact, some have even proposed to suspend the bulk of civil cases for several months in order to clear up the 1,800 indictments now pending. The long-drawn-out attempt to get a fair system of valuing real property has finally been successful, and the assessors are busily carrying out new plans now.

There are also efforts for a fundamental reorganization of the whole local governmental tangle. The Advisory Board of Estimate and Apportionment of Local Public Expenditures, appointed by the Board of Cook County Commissioners, has presented a preliminary report dealing with the whole subject of the reorganization of the government and finances of the 300 political units in Cook County. Citizen groups are gradually focusing their efforts on a basic plan of action, which may bring about some simplification and unity in the most complicated government situation in the world. For, in the Chicago metropolitan area, there are not less than 1,600 independent governments, attempting to handle the affairs of what is practically one social and industrial unit. If all the population of the metropolitan area were in the city of Chicago, the problem would be far easier than it now is; but if there were one local government instead of 1,600, that would also help.

The report of the Illinois Association for Criminal Justice, shortly to be published, will present a remarkable series of analyses and recommendations in the field of criminal law. A committee of judges is engaged in drawing up practical changes necessary for the most effective operation of criminal procedure. From another point of view, there is a strong movement in the direction of a city manager plan for Chicago which may perhaps focus before the present legislative season closes.

Mayor Thompson remains as discreetly silent in the midst of war's alarms as he was brazenly vocal in times of triumphant advance. Over his head hangs the pending decision of the Supreme Court, in the famous case in which a judgment amounting to $1,700,000 was given against Thompson and other public officials held responsible for the real-estate experts' misuse of public funds in the execution of the City Plan. His organization is cowed but not disintegrated, and waits to see whether the Revolution of 1928 was an angry gesture or expressed a determined attitude on the part of the citizens. In the aldermanic primaries of February, 1929, the newly organized Civic Safety Commission undertook to effect a revolution in the personnel of the City Council and succeeded in overthrowing some, but not all, of the least reliable members of that body. In the following aldermanic elections, the Mayor secured some victories, but on the whole, the new Council will be far less friendly to him than the old. His capture of the committee organization of the Council is probably a hollow victory, likely to cause him more embarrassment than advantage. The local aldermen are in any case such firmly entrenched feudal lords that an aldermanic election is not a very reliable index of public sentiment.

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It would be premature to conclude that the Chicago problem has been solved, in spite of the amazing progress made under adverse conditions. Thompson still squats in the City Hall for another two years, surrounded by a large army of payrollers and beneficiaries. The new Governor, Emmerson, although not so hostile to the city of Chicago as his attitude on the gas tax would indicate, is not likely to take the lead in behalf of the city's legislative requirements. The bootleggers' war still continues and the massacre of the seven in a North Side garage stands out as a striking example of the vengeance of one gang upon another. All the more remarkable is the fact that some of the assassins wore the uniform of the police department, whether members of the force or not is yet unknown. Gangland follows its familiar tactics of waiting for the breaks in the ranks of the opposition with an attentive eye on the Prosecuting Attorney and particularly on the fluctuations in public opinion.

The two most perplexing of the local problems, the liquor question and public-utility relations, become still more troublesome. A somewhat lopsided citizens' committee is endeavoring to take the lead in the settlement of the tangled traction problem, with what results no one can forecast. Every keen political observer will agree, however, that there is much dynamite in this situation. A traction outcome agreeable to some few persons would be the passage through a frightened Council of a "settlement" which in calmer moments would not have been considered possible. From this point of view the beneficiaries of the political revolution of 1928 would be the street railway interests.

The liquor problem has always been the nemesis of Chicago and still continues to be a threat. A new crusade has begun for the bone-dry enforcement of the liquor law. Orders were given to the Police Commissioner by the State's Attorney to close up the town, and some action followed. Here again the results of the political revolution of 1928 may be capitalized by the drys, and the war against the gang become a war against booze. This situation also contains possibilities of violent reaction against the cause of reform. Chicago is wet but not wide-open; but it is more likely to be wide open than dry, as was discovered in the Dever campaign.

Experienced observers look with some concern upon these difficult situations and speculate on the possibilities of a revolt against the revolution. Traction and booze are obstacles which reform always has difficulty in overcoming.

But there is determination on the part of Chicago citizens to end the rule of gangdom, and the indications are that they will go far in this direction. Lincoln Steffens' comment on Chicago many years ago is still pertinent: "Half-free and fighting on."

C. E. MERRIAM.

The Federal Courts

POPULAR interest in prohibition has falsely identified the President's emphasis on law enforcement with prohibition enforcement. To be sure, the liquor laws have placed new and heavy burdens upon the United States courts, and the success of the prohibition laws involves the future of the federal courts as well as that of the Eighteenth Amendment. But it is highly important to realize that the administration of law through the federal courts raises serious problems apart from prohibition.

Of his awareness of these problems, the President gave ample proof in his Inaugural. "To reestablish the vigor and effectiveness of law enforcement we must consider the entire federal machinery of justice. . . ." This promises, for his forthcoming commission, a much larger scope of inquiry than prohibition. The terms of reference for this commission—upon what it will be asked to report—will largely determine the value of its labors. It might well be given too large a load for any commission to discharge. Thus, one hopes that the newspaper rumors that it will be asked to consider matters like the Sherman Law are wholly baseless. For such laws raise social and economic issues of great complexity and contentiousness, quite unrelated to the appropriate organization, jurisdiction, and procedure of the federal courts. Again, much will turn on whether the commission is expected to produce legislative proposals quickly, or to be a commission of inquiry, whose task is diagnosis and understanding, as the basis for legislation. The widespread dissatisfaction with the work of our courts is a healthy sign, provided we do not embrace surface remedies.

Certainly our legal administration should be more economical, more expeditious, more reliable, more eagerly sought by suitors—in a word, it should be more civilized. The quality of justice in any society depends upon the qualities of its functionaries —that is, the bench and bar—the background of public opinion, the adaptation of procedure to diverse kinds of litigation, the organization of the courts, and the volume and nature of the business they have to discharge. These considerations apply to all courts. But, unlike most, the federal courts also serve a political function. They are one of the vital means for achieving the adjustments upon which the success of the American union depends. The distribution of judicial authority between state and

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federal courts is one phase, and perhaps the most delicate, of the ever-recurring problem of the distribution of power between the states and the nation. Wisdom in the distribution of this judicial power is thus important for the happy relations of the states to the nation. It is with some of these aspects of "the entire federal machinery of justice" that I am here concerned.

These are historic issues. As soon as the national government was launched, a hundred and forty years ago, a debate over the role of the national courts in the new Union began. What should be the scope of their authority? What their relation to the state courts? That debate has continued ever since, and President Hoover's Inaugural opens another important stage of the discussion. No other people in the world has ever tried to administer a single system of courts over so vast an area as the United States. This geographical extent and the political significance of the federal courts have confronted Congress, in providing for a federal judiciary, with problems that trouble neither British Parliaments nor state legislatures. Parliament in dealing with the High Court of Justice, and legislatures in devising state judiciaries, are concerned only with the effective distribution of their internal judicial power—that is, the appropriate structure of their local courts and how they shall work. These are largely technical questions. So, also, it is for lawyers to decide how judicial authority should be distributed within the federal system and what procedure is most apt for its business.

But in the series of judiciary acts, beginning with Senate Bill No. 1 of the very first session of the United States Senate, Congress has had to face a different and more perplexing problem peculiar to a federated nation. It presents conflicts full of political explosives. The issues involved are of the very stuff of American politics, to be settled or evaded by one generation only to reappear in the next, because the conditions of life underlying them change from generation to generation. The formulation of wise, practical conclusions here also demands legal skill of a high order. But the wise adjustments, or happy compromises, between local feeling and national interest, and a procedure for making these compromises effective, are delicate problems of statesmanship, and their solution ought both to enlist and satisfy public understanding.

To make the fullest use of our judicial resources, to simplify as much as possible the inevitable complexity of a system of courts spanning a continent, to secure a fair balance between the federal system and state judiciaries, to maintain the authority of the federal courts through the prestige of its judges, to relieve the Supreme Court from all obstructions to the performance of its duties as the ultimate tribunal in our federalism—these must be the aims of all legislation regulating the organization of the federal courts.

For more than fifty years, there has been no organic reconsideration of the field of activity of the lower federal courts. The division of labor between the federal and state courts is subject to the shifting needs of time and circumstance. It is not likely that the wisdom of 1875 will prove to be the measure of wisdom for today. Within half a century, industry and finance have transformed American society; such changes can hardly be without relevance to the organization of the judicial system of the United States. The indispensability of the federal courts to the maintenance of our federal scheme may be taken as a political postulate. But details of jurisdiction are, after all, details. As such, they should be judged by their appropriateness to the needs and sentiments of the time. The federal courts must especially be saved from too much responsibility, which may interfere with their peculiar federal tasks. The competence of the courts—apart from the all-important capacities and character of the judges—depends on the volume and nature of litigation. But back of all litigation is the prolific energy of modern legislation. Just because our economic forces make so strongly for centralization, there are no more challenging problems of statesmanship than deciding what tasks the central government shall take over, and how it shall perform them.

That there are limitations, and serious ones, to the practical exercise of federal authority needs no proof today. What conduct shall be regulated by law, and what shall be left to custom? What regulative authority shall be exercised by the central government, and what left to the states or to interstate adjustment? Shall national agencies alone enforce national laws, or shall the states share in this task, or shall the states enforce them alone? These are puzzles of American politics which involve the welfare of the federal courts. They cannot be settled by formulas. Nor are they moral issues, like the right to worship according to one's conscience or freely to pursue scientific inquiry. We are here in the domain of administrative effectiveness—matters not of principle, but of expediency.

What powers shall be given to what courts, and how they are to be exercised, can be determined neither on *a priori* reasoning nor by unchanging political principles. Equally unsafe guides are the prepossessions of the familiar. A study of the laws governing the federal courts since 1789 shows that policy has always determined when and how and to what extent judicial power shall be exercised. Not inherent reasons but practical justifications explain the past judiciary acts and must vindicate jurisdiction in the future. The difficulty of administering law over a continent, the dangers of parochial adjustments, the dependability of state courts, the convenience of suitors, shifting economic and political sentiments—such influences have affected the distribution of authority between the national and state courts. The present jurisdiction of the federal

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courts cannot rely on tradition, for the distributions have always been temporary. The only enduring tradition has been that of timeliness.

A powerful judiciary implies a relatively small number of judges. The rewards of distinction have in the past drawn to the lower federal bench lawyers of distinction, and therefore built up a public confidence like the feeling of Englishmen for their judges. There are many signs that an enlargement of the federal judiciary does not make for the maintenance of its great traditions. In 1884, there were only sixty-six federal judges; by 1907, they had increased to one hundred and fifteen; there are now about one hundred and ninety; the pressure for more is steady. It is useless to try to increase the number of judges in proportion to the increase in the wealth or population of the country; for questions of psychology and prestige play havoc with the mechanical notion that more business in the federal courts can be met merely by making more judges.

Some business should be stopped at its legislative source. Almost every interest of the country is against federal legislation in the abstract, but ready to invoke such legislation for its own protection. Every new federal offense means a new burden upon the federal courts. Criminal cases involve a particularly heavy drain on the courts' time and, as a rule, they are the least attractive to those most qualified for the bench. Proposals to add to the federal penal code should therefore be rigorously scrutinized. Federal power should not be abused by exerting it for the punishment of essentially local crimes. Federal courts throughout the country, and particularly in centers like New York, are occupied in trials, frequently lasting weeks, for prosecution of what are essentially local frauds, brought to the federal courts on the slim thread, perhaps, of a single use of the mails. It is true that frauds are thus punished, but at the sacrifice of interests more peculiarly in the keeping of the federal courts. The question is not whether certain acts should be outlawed, but what tribunal shall deal with violations. Penal laws against drug addicts, interstate automobile thefts, proposals to deal with "fences," all are attempted short-cuts in the prevention and punishment of crime. I am not forgetting the difficulties of American criminal justice due to state boundaries; but the resources of the states and of interstate coöperation have hardly begun to be tapped. These resources should be explored to the full, instead of burdening the federal courts with state tasks.

But even with federal offenses, the pressure upon the federal courts may be partly relieved by a freer use of state courts. There is historic warrant for allowing states to share with the federal government in the administration of its criminal law. Not only will this relieve the federal courts; it will help enlist local sentiment in support of national legislation, and thus save the federal criminal law from being weakened by asserting the distant authority of a centralized government.

Congress has already greatly relieved the dockets of the federal courts by turning over to the state courts the prolific litigation arising under the Federal Employers' Liability and the Jones (Merchant Marine) Acts, and preventing their removal to the federal courts. This is a type of practical devolution of the central authority, which eases the federal machinery. Jurisdiction should thus be given to the state courts, whenever federal rights arise out of transactions that are essentially local and lend themselves to remedies in the state courts. The national interest in the uniform interpretation of a federal law is protected by the reviewing power of the Supreme Court.

The states, in turn, could save for their own courts litigation which now heavily burdens the federal courts. Modern business regulation and taxation give rise to the most perplexing cases. These controversies turn largely on voluminous facts, whose significance depends on social and economic policies. Suits to restrain such state action probably make up the most contentious phase of the work of the federal courts, often engendering strong feeling and becoming the stuff of politics.

The federal courts entertain jurisdiction in these suits because the states do not provide adequate remedies through their own courts. The legal procedure of the states has not accommodated itself sufficiently to the consequences of their regulatory legislation, so that the validity of new legislation, or the application of old, cannot be questioned in the state courts without running serious risks. The states could prevent interference with their tax collections through suits in the federal courts, by removing any chance for the claim that there is no adequate remedy at law in the state courts, if the tax is paid. So, also, with appropriate changes in the criminal administration of the states, there would be no excuse for seeking injunctions in the federal courts, or claims that the multiplicity of suits causes irreparable damages and oppressive penalties before final settlement, in the state courts, of the validity of contested state action. Congress has already given the states a lead in this direction, but they have not followed it. The states' failure to use their power to sift state legislation in their own courts has needlessly swollen the business of the federal courts, and cast upon the Supreme Court some of its most burdensome labor.

Thus far I have been considering the role state courts may play in the disposition of federal rights. What of the opposite—state litigation in the federal courts? The availability of federal courts in matters outside the domain of federal power and exclusively within state authority is the basis for the so-called diverse-citizenship jurisdiction of the federal courts. Its purpose was to assure non-resident litigants of a hearing free from local bias. Accord-

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ing to Marshall, the Constitution entertained "apprehensions" that distant suitors might be subjected to local bias in state courts, or, at least, it viewed with "indulgence" "the possible fears and apprehensions of such suitors." Whatever may have been true in the earlier days of the Union, when men felt the strong local patriotism of the new "sovereign states," has not the time come to reconsider how justifiable these apprehensions are today? The Civil War, the Spanish War, and the World War have altered national feeling, and the mobility of modern life has weakened state attachments. Local prejudice has far less to thrive on now than when Congress first conferred diversity jurisdiction on the federal courts. But it is urged that eastern investments in the West and South are exposed in state tribunals to the risk of unfairness towards non-resident capital. This is an old claim and it was, no doubt, relevant when the relations between the East and West were not what they are today. But the traditional argument ignores our economic transformation. The diffusion of securities throughout the country, customer ownership of utility stock, and employee holdings in large corporations, are new facts of such importance that we are told they constitute "an economic revolution." There has been a great increase in the financing of western and southern developments by local capital. Some utilities themselves dispose of their securities; bond houses now distribute large issues in these sections; a number of important eastern investment bankers have western and southern branches; local stock exchanges have been established, dealing mainly with local securities. These are changes that affect men's minds and they transform the sentiment of the community. They determine the attitude of jurors. Such considerations rule out the notion that, in the West and South, state jurors and judges are economic Ishmaelites.

Madison believed that Congress would return to the state courts judicial power entrusted to the federal courts, "when they find the tribunals of the states established on a good footing." A nation-wide effort is now afoot to raise the standards of the bar, to modernize procedure, and to organize the judiciary. University law schools, bar associations, judicial councils, the American Law Institute, are all aiming at improvement in the administration of law. Can the state tribunals not yet be trusted to give justice to non-resident litigants? Or, in any case, is it wise to deprive the impulses towards reform in state tribunals of influential litigants who, in diversity litigation, now avoid state courts? Such litigants and their counsel ought to have every incentive to make state tribunals worthy, and their administration fair and impartial. Moreover, it is unwise politically to let the federal courts be used as an escape from state tribunals, thus stamping the federal courts, in the public mind, as the resort of powerful litigants. Congress has shown its confidence in state courts to handle actions in which juries are likely to be specially biased against corporate defendants, by prohibiting removal to the federal courts in Federal Employers' Liability cases. A practice of eighteen years has vindicated this confidence. Is it not time now to reëxamine the jurisdiction of the federal courts in cases where there is not the excuse of enforcing a federal right?

Certainly the obvious abuses of diversity jurisdiction should be removed on plain grounds of policy, and to relieve the over-burdened federal dockets. Lacking an adequate system of federal judicial statistics, we cannot make an exact analysis of the scope and nature of federal court business. But it is common knowledge that the diversity cases represent one of its heaviest items. According to the usual estimate, they constitute one-third of the business of the district courts. An examination of ten recent volumes of the Federal Reporter shows that out of 3,618 full opinions, 959, or 27 percent, were written in cases arising solely out of diversity of citizenship. In 716 of the latter, or 80 percent, a corporation was a party. Corporate litigation, then, is the key to diversity problems. For legal metaphysics about corporate "citizenship" has hatched a brood of incoherent legal fictions about the status of a corporation, defeated the domestic policies of states, and encumbered the federal courts with controversies which, in any fair distribution of political power between the central government and the states, do not belong in the national courts.

The various types of diversity litigation call for comprehensive scrutiny in the light of present-day conditions and the demands upon federal courts by truly federal litigation. Whatever is to remain of diversity jurisdiction, the law to be administered by the federal courts is in theory the law of the states. But not so in practice. This is due to an early misconception by the Supreme Court, as Mr. Charles Warren has shown, of the purposes of the framers of the First Judiciary Act. As a result, the fortuitous circumstances of residence of one of the parties at the time of suit determine what rule is to prevail in a particular litigation. Needless to say, such residence is frequently a designed circumstance. The operation of a double system of conflicting laws in the same state is plainly hostile to the reign of law. Janus was not a god of justice. Litigation in the federal courts is apt to be more expensive, and otherwise more burdensome, than in the state courts. Whenever the state law is authoritatively declared by the state, either through legislation or through adjudication, state laws ought to govern in state litigation, whether the forum of application is the state or the federal court.

This indicates only a few of the many problems that will have to be explored if there is to be a critical inquiry into the work of the federal courts. Plainly enough, these are not dramatic issues; they do not lend themselves to streamer headlines. But with a sure instinct for the relevant, President Hoover put the problem of law enforcement at the

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very forefront of our national concern. The seemingly technical issues outlined here touch the sensory nerves of effective law enforcement through the federal courts. For, whatever our preferences, the interdependence of modern society is bound to throw increasing burdens of litigation upon the federal courts. The scope of federal authority has steadily extended during the past twenty years. Circumstances have been more compelling than differences in the temperaments of our Presidents or the prevailing temper of Congress. Whether national responsibility or states' rights were the accent in speech, the administrations of Roosevelt, Taft, Wilson, Harding, and Coolidge alike, have contributed to the growth of federal authority. This has had its reflex in federal litigation. The process will not stop. Future controversies in the federal courts, perhaps even more than in the past, will demand discernment, mastery of facts, and insight into the ways of government. Men who inspire the widest confidence, cultivated and highly trained lawyers, with a touch of statesmanship, should be drawn into the service of the federal bench. That they may discharge their great functions, the federal courts should be given only such powers as are appropriate to a national judiciary under a federal system, so limited as to be capable of disposition by a relatively small number of distinguished judges.

FELIX FRANKFURTER.

My Children Are Only Normal

THERE really are two children, six and eight, though their names are not Bill and Nancy. And there really was a long, weary round of schools, in one of our great educational centers, which refused to take on Bill and Nancy, not because they were too "difficult" or "different," but because they were not difficult or different enough. It seems a tale worth telling. For everybody's sake, it is perhaps best to scramble the details a little. But, in all essentials, here is a true story of two young Americans in search of a school. It has no moral.

Miss Barstow, head of the famous "new" school that bears her name, regarded Bill and Nancy without enthusiasm.

"There is no use in holding out any hope at all," she said. "There will be vacancies in both these groups in September, but for the Eights [Bill is eight] we need an Italian to preserve our racial balance. And for the Sixes [Nancy is six] we want a Negro."

"Just plain American won't do?"

Miss Barstow shook her head. Now, Nancy is nothing if not coöperative. And she had been much tempted by the school yard, where a dozen Sixes were transplanting aster seedlings "to make flowers for us in the fall."

"I could black my face," she offered. "I could black it with blacking. Tony would lend me some. Tony has very black blacking. He puts it on my shoes and he is one of my best friends. I could black my face and black my hands and black my knees where my socks don't come. I want to plant things in your yard right now this minute!"

Nancy's wails were long and loud when Miss Barstow refused this privilege.

"I *could* make myself black—" she wept, "I *really* could—"

Above the tumult Miss Barstow apologized for having "bothered" me to bring the children for inspection.

"But we never can be sure without seeing them—"

Mentally I remarked, on the way out, that on the application blank Nancy had been written down "white," and that Bill, whose three names had been given in full, was obviously Nordic.

Tottenham's fees were beyond the family income, and I asked for partial scholarships when I applied for admission there. Miss Browne, the secretary, explained—as I had already heard—that the school had many and generous scholarships. "But we have so many calls that even our rather unusual facilities are exhausted just now. In fact, we have only two scholarships left in the elementary school, and I am afraid—that is, I suppose your children are quite normal?"

"Why, yes, I believe so," I admitted, feeling somehow at fault.

"This fund was established in memory of an afflicted child we had with us some years ago. She was a lovely spirit, a beautiful influence in the school. The two Marianna Scholarships, named for her, are for children similarly handicapped—children with defective vision."

"And you cannot take my children because they are not blind?" It did sound extraordinary, even to Miss Browne.

"I really am very sorry—those are the terms of the fund. We have no other scholarships left. In fact, we have a long waiting list. Perhaps another year—"

The well known Cadger School gave Nancy and Bill elaborate mental tests before acting on our application. The tests were given by two young psychologists who made their "games" an absorbing hour's entertainment. But Nancy and Bill were weighed and found wanting.

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"They would not fit in with us," Mrs. Holderman, the school's director, explained. "Your daughter tests 118, your son only 110. He is not a point above his chronological age, except in vocabulary, perception, reading ability and social response."

"But isn't that fairly normal?" I suggested.

"Possibly," Mrs. Holderman conceded, with a slight smile. "But the children would not fit in here. Our lowest I. Q. is 120—our mean is 135."

St. George's viewed our I. Q.'s differently. There too, Nancy and Bill "played games" with the school psychologists, and were rejected for their I. Q.'s. At St. George's, Nancy's I. Q. was 115, Bill's 128.

"Quite too high for us this year," Miss Peebles explained regretfully. "We are turning away so many promising children. But we find ourselves with an over-intellectualized student body. Our average I. Q. is almost 140, and that is much too high. It is bad for the group. For at least three years we are taking no child not already on our waiting list who is over 100."

"But Bill and Nancy are not abnormal—"

"Oh, no, indeed, entirely normal. In fact, we are having real difficulty in getting the lower I. Q.'s. They seem most unusual in the group that applies to us. But we find it necessary to get some children of the non-academic type. I am truly sorry. It does seem to work hardships in a good many cases."

Applying at Jaspercourt was an act of desperation. It was a good mile and a half from the home on which we have a three-year lease. But I had a feeling that if I could only find a school willing to undertake the education of Bill and Nancy, the transportation problem could somehow be solved. Jaspercourt was friendly and broad-minded, and seemingly without race prejudice or special interest in the ultra-bright or slightly dull. Its fees were within the family budget. But with other difficulties smoothed away, the question of transportation began to loom larger. Just how were Bill and Nancy to reach this hospitable school on rainy days, or in sleet storms, or on the "late" mornings that occur so inevitably? The nearest cross-town car was blocks away. I raised this question with Miss Brooks, the liaison officer between Jaspercourt and "the parents."

Miss Brooks suggested taxis. "All our west-side parents, who do not have their own cars, use them."

"Taxis are expensive," I pointed out. "It would add almost two dollars a day to the school costs."

Miss Brooks agreed that it would.

"Of course, there is the school taxi," she added. "But your children are not crippled"—she glanced down at the straight backs and sturdy limbs of Bill and Nancy. "We have five crippled children in school just now, and we provide taxi service for them. But we can make no other exceptions. We expect the parents of normal children to get them to school."

It was at this stage that I decided I was simply being "snooty." My children should go to the public schools. Public schools were designed for "the average child." There, problems of race and nationality take care of themselves. And there is a public school only two blocks from where we live. I went to visit it.

A bored young substitute teacher showed me about. It was an old, yellow brick building. With sinking heart I walked through its scuffed and dingy halls, peered into its bleak class-rooms, where nervous teachers tried to hold the interest of overcrowded classes, with no resources outside textbook assignments and blackboard demonstrations. Memories of six-year-old gardeners and block-builders, eight-year-old carpenters and artists, joyously busy and absorbed in "new" school shops and studios, rose before me as I looked at these bored young wrigglers, imprisoned in their rigid seats. Finally we reached a great, sunny corner room. Gay little green chairs and tables were scattered about. Two canaries sang in one window, ivy trailed around another. Fat yellow ducks waddled across the crisp, creamy window curtains. The doors of a tall cupboard were decorated with splashes of red and blue and green and silver paint, and one cupboard door stood open, revealing shelves filled with work and play materials. Children trotted about, occupied with their own affairs, talking quietly as they worked. Here, in the midst of the gloomy barracks I had traversed, was the color and freedom of the best of the "new" education.

"Oh, my children would love this!" I exclaimed.

"But they couldn't come in here," said my guide indifferently, "this is for our sub-normals."

BEULAH AMIDON.

History of the World

Ships have been wrecked on our coast from beyond the sea
And skulls are still found of a foreign nation
Tufted with lank hair on the crown and the chin bone
From such as these we have learned the naming of days
And the moon's name and the divination by sheep guts
From these too we have learned of the other country
Whether this land is far we do not know
We have seen a shaking of green leaves as after
Withdrawn arms and the old dogs growl in the sunlight
Our fathers sit all day by the warm coals
Staring at things not there. We have always said
Some day we would make a voyage of discovery
Some day we would find this other country
Our expeditions however are not successful
Nothing is seen. The lonely alone have sighted
Far out in the sea what may be an island
Or east in the wooded land a cloud like the vapor
At evening over the cities of our own kind

ARCHIBALD MACLEISH.

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Washington Notes

STRIVE though I may, it is occasionally difficult for me to take American politics as seriously as I should. Though I am essentially an earnest soul, there are times when it seems to me that only the intellectually stunted (who, there seems some reason to believe, constitute the great bulk of our people) can accept at face value the political performances regularly given in this country every four years. For example, when we recall the horrid alliance formed last spring to prevent "the Chief" from reaching his White House goal; when we reflect upon the completeness with which, aided by a noble band of far-sighted patriots, including Good, Slemp, Holland, Lenroot, and the gallant Mann, self-styled "Southern Manager," that alliance was smashed; and when we contemplate the prettiness with which some of the most hostile of the Chief's foes, factors in that alliance, are now sitting, as well as their closeness to the Chief himself, it rather wrecks one's belief in the stability of things—or at least in the reality of political enmities.

In illustrating this point, I pass hastily over the cases of Charley Curtis, his most venomous opponent for the nomination, now elevated to the vice-presidency and invited by the Chief to sit with the Cabinet, and of Jim Watson, who, as administration leader in the Senate, is in constant White House conference with the man whom he, galloping from end to end of the state of Indiana, less than a year ago, painted as an alien and sinister enemy of the common people—particularly the farmer. I pass over, also, the fact that the only two members of the Coolidge Cabinet to become members of the Hoover Cabinet are Andrew W. Mellon and James Moose Davis, who were the only two members distinctly inimical to the nomination of the Chief right smack up to the minute the combination against him fell to pieces. I pass over these and come to the selection of the Hon. Charles Gates Dawes for the high honor of Ambassador to the Court of St. James's. Personally, the Dawes selection seems to me a good choice. He is a distinguished man, not without European experience, and will probably make a larger hit with the British than any Ambassador we have sent them since John William Davis.

None the less, it is impossible not to recall that Mr. Dawes was turned down for the second place on the ticket at Kansas City last June, though he was the almost unavoidably logical choice, and a concededly inferior man from every possible angle was put in his place. The reasons were not concealed. One was fear that the known distaste of the sour little man then in the White House for the colorful Dawes would lead him to "lay down" on the ticket if the General were renominated. The other was the belief on the Hoover side that Dawes was the real force back of the anti-Hoover combination, the real rival of the Chief for the nomination. There was further a strongly held opinion that Dawes money had not only helped finance anti-Hoover fights in both Ohio and Indiana, but had, in addition, been used to establish and maintain a weekly publication in Washington whose scurrilous attacks caused the Chief an alarmingly high blood pressure. Friends of Mr. Dawes have indignantly denied that he was in any way interested in this publication, directly or indirectly, or ever contributed a dollar to its support. Probably that is so, but someone who did not like the "Chief" certainly supplied the money. The Hoover aides put the onus on Mr. Dawes, and he was cursed all through the pre-convention campaign by those close—very close indeed—to the Chief.

And now the Chief, who turned him down for the vice-presidency, confers upon him a vastly more interesting and important post. Further, I am told by those who talked with him just before he left Washington that Mr. Dawes cannot recall being anti-Hoover at any time, that he has in fact argued himself into the frame of mind where he sincerely believes—or seems to—that he was for Hoover all the time. It is pretty hard to beat that, but it is nice of him to feel that way. As for the Chief, none will cavil at this exhibition of a broad and tolerant nature, this noble manifestation of an absence of rancorous recollection. That is, none will cavil, perhaps, save a few sad and loyal souls who took their political lives in their hands early last spring to be for Mr. Hoover when about all Mr. Hoover had with which to make his fight was the well known shoe string.

There are, of course, a few of these around Washington now, who thought they were entitled to cabinet consideration, and a few more who had their hearts set on diplomatic careers at one of the really great European capitals (there is at least one who thought he had bought and paid for such a career) but no one will waste much sympathy on these birds. They are out of step with the times, not in tune with the new political note. Results are what we are after in this administration. Efficiency and "the best available man for the job" regardless of his politics, or how he lined up last spring. That is the Chief's idea—and a noble one it is.

Friendship is not to be the controlling factor in making appointments. Friendship will be disregarded when it clashes with competency—that is, for the key places. For these the rigid rule is, "the best man, regardless." Those friends of the primary days (when he needed friends the most) will be taken care of, all right, but not in the key places. They will not get what they want—but they will be offered something almost as good. If they do not accept, whose fault, I ask you, is that? Broad-mindedness and a cool judgment, unaffected by heart disturbances or embarrassing emotional impulses, are the qualities the Chief brings to his great task. It would not surprise me to hear before long of others in that anti-Hoover alliance of last spring who will be called by the Chief to "serve the country." Lowden, who ignominously bolted the Kansas City convention, will likely be the next erstwhile enemy to receive the presidential kiss and high position. But I do not think there is anything in store for our jolly little friend, C. Dewey Hilles; broad-mindedness can hardly go that far. Still, you can't tell in these rapid days. If it should—if Mr. Hilles should be "called to the public service" by the Chief—one result would certainly be to wish upon six carefully selected friends of the Hon. Ogden L. Mills a sad job of slow walking behind him. He simply could not survive the blow.

Washington. T. R. B.

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Notes on Exhibitions

Robert Hallowell

MR. ROBERT HALLOWELL'S main achievements hitherto have been in water-color, in which, though his record is most uneven, he has done some beautiful things, things with high, simple feeling, broad-washed forms, fresh, straight drawing. His exhibition this season was marked by a turning to oil as his medium. There were some fair water-colors and drawings at the Rehn Gallery, but what I noticed were those landscapes in oil, with their shift toward subtleties and moods not familiar to me in Mr. Hallowell's painting. Some of the canvases came off and all of them had beautiful passages. Their palette and approach showed the influence of Maurice Sterne, and their growth was an inner growth, with a kinship to Maurice Sterne that may go far in this younger painter's development. If he wants to be more like this painter, Mr. Hallowell will need to study his pictures for greater subtlety in the undertones and in the moments where one plane merges into another. In Maurice Sterne there is a marvellous tenderness and profundity that surrounds his superb drawing and his power to render the actual when he chooses; from the solid forms that dominate his landscapes the surrounding world radiates like a dream. Judging by his other work, however, I should say that Mr. Hallowell's is a world more windswept and candid, and to that end his present technique might gather into itself a little of his earlier simplification. In either case Mr. Hallowell has come to a place that bears watching. At the moment I may add that one of his merits has always been his scorn for prettiness, but that he will do well not to let any Puritanism, or whatever it is, lead him to mistrust the decorative, in all its flourish, splendor or prodigality, if his brush runs toward it some fine morning.

Eugene Speicher

About Mr. Eugene Speicher, whose exhibition followed soon after Mr. Hallowell's at the same gallery, there is less to record by way of change. On the whole there seemed to me to be fewer of those lapses in taste, in the rendering of a texture here, the drawing there, the statement of the design, than in some of his former paintings. In general the portraits, still-lifes and groups repeat his interests of the past, which is nothing against them, except that in time we may exact either a greater completeness in execution and taste or else a stronger excitement and initial impulse.

There are two points on which Mr. Speicher should be persecuted by his admirers, of whom I am one. One of these is this trick of his in managing the eye, a certain squaring and difference in outline, a certain underscoring, squinting or whatever it is, that he will give to one eye of the sitter rather than to both. At first it is engaging, full of character implications and perhaps wit or penetration; but presently, when we go on to the next canvas and then another and see this same manipulation, its profundity and meaning go off a bit, and what we thought was character comes to be only a mannerism.

The other concern is that arrangement he gives to seated human figures from their waists down, a certain spreading out of the legs or knees, a sudden shooting down in the planes of the lower half of the figure—one has to see it to know just what is meant. But what must be said is that it is at present a real limitation in Mr. Speicher's drawing, though the intention behind it may be of the best. There is in Byzantine painting, I know, this management of the lower half of the figure in such a way as will give dignity and solidity instead of a realistic spreading out and uncertainty. But in the Byzantine paintings the whole thing is stylized; the same voice speaks throughout. In the painting of the two women at or behind or through or around a café table, I could not tell what Mr. Speicher meant about their lower halves. I was not quite sure what came forward and what slanted down. He can do as he likes, of course, and is tied by no obligation of realism, but he must state the intention behind the picture; however divorced or bound to reality the treatment is, the intention must be clear, one style throughout the one body of the painting.

These two defects are all the more to be remedied because there must be few painters in whom one may find more delicious textures here and there, more joy in the life of the eyes, more of a combination of the virile, the luscious, the staunch and downright.

Roy Sheldon

Mr. Roy Sheldon is a young American living in Paris whose work I have seen off and on now in one piece or another for several years. From the very first, there was present a certain acumen and cerebral fiber that characterized the recent exhibition of thirty-four pieces by Mr. Sheldon at the Milch Galleries. Earlier in his career it took the form of stopping at the right place. He knew he was not a sculptor yet, beyond certain central solidities at the core of his sculptural idea. And he knew when that was found, and that it was essential; without it there would have been no sculpture at all, however plausible a surface. This discernment, judgment or honesty, whatever you please to call it, was in itself a great gift.

At the same time he knew the point beyond which he could not go technically. After that point it would all have been faking, which, as everyone knows who knows anything about either painting or sculpture, is easy and alluring, and in sculpture especially, because this art relates so convincingly and deceivingly to the forms, surfaces and textures that we see around us everywhere.

All this held true when Mr. Sheldon was a younger man and a younger artist.

This high intelligence in his art is the product of a versatile and educated force of character; and it appears now in such a piece, for example, as the "Pietà." This dead Christ lying on the Virgin's knees—to carry further such a subject in the style suggested by this sculpture in oak would require a settled and complete great master indeed, or else a young genius in a great seething epoch. Or lacking such hands, it could be carried to an elaborate imitation or revival of Gothic—in which its seed lies—or of the Renaissance—Michelangelo in St. Peter's if you like—and would be only *tour de force,* plausible perhaps, but lacking sincerity either through the artist's crafty eclectic-

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ism or through his born shallowness. Mr. Sheldon has wisely left it as it stands, suggested only, quiet, firm, young, and fresh with its own emotion.

That with some plausibility he could have carried this piece further, and a very great deal further, is proved by a number of others in the exhibition that do go through to their complete statement. Genuine control and astonishing beauty appear in a number of these pieces. The two female figures, seated and three-quarters, have lovely form and a fine touch over all their surfaces, and some of the animals are a capital success.

This mental variety and zest and energy leads Mr. Sheldon into what was the chief defect and limitation in this exhibition, I mean the tendency now and then to show us subjects rather than statues. The range in the subject-matter amounts sometimes to mere superficiality. The treatment in some cases is not solid, the style not searched out, the idea not yet discovered in terms of sculpture. This prattle is doubtless forgivable because it proceeds from an appetite for style, a groping for diverse modes of thought and a hungry observation of what has been done before him and around him in his art. But the fact remains that there were numerous pieces in this exhibition of Mr. Sheldon's that should have been omitted; they were not good enough to be there, and are not a credit, by way of reflection upon them, to his other works.

But this same quality of mind and energy appears also in the range of subjects and the titles given them—those listed delights implied in such names as "Happy Elephant," "Greek Girl Head," "Black Venus," "Giraffe," "Protection," "Baboons," "Itylus Head," "Empire Dress," "Idol, Masque," and so on—and in the choice of materials. We have oak and onyx, rose marble, bronze, Asiatic marble, antique red marble, granite, stone, et cetera. Launching into the management of such substances has, obviously, its perils, *illi robur et aes triplex,* as Horace warned us, they must be stout hearts that weather these rough seas. Sometimes Mr. Sheldon's treatment of his material is merely facile—an adaptation of the masque or manner to the mere geography or traditional associations of the materials, Chinese for example. Sometimes it is idle and lacking in style—the inconsequent "Empire Dress" in rose marble. Sometimes it is profoundly right and exciting, as in two or three of the figures or some of the animals. It may be that this listing subjects with materials in the exhibition catalogue, "Adolescence . . . Rose Marble," "Penguin . . . Norwegian Granite," "Polar Bear . . . Ivory Marble"—is not on the plane of highest solemnity in sculpture; I don't know; I know I liked it—Sonata for Violin—Air for the Flute—there is one music for pipes, and one for strings and another for the trumpet, all of them music but dwelling in different voices out of the world.

STARK YOUNG.

CORRESPONDENCE

The American Language

SIR: In her article, "On Not Knowing French," Virginia Woolf says, "Thus a foreigner with what is called a perfect command of English may write grammatical English and musical English—he will, indeed, like Henry James, often write a more elaborate English than the native—but never such unconscious English that we feel the past of the word in it, its associations and attachments."

Just as a matter of curiosity, I am interested to know what she considers the native language of Henry James—Choctaw, perchance!—since he came from the wilds of Boston.

I am quite familiar with that "certain condescension" which the English display towards us poor benighted Americans, but it is a surprise to learn that we are looked upon as newcomers to the English language.

HARRIOT T. COOKE.

Cannes, France.

SIR: I hasten to submit to your correspondent's correction and to retract my opinion that because Henry James was born in Boston he therefore did not write English like a native. I will do my best to believe that the language of Tennyson and the language of Whitman are one and the same. But may I explain that the responsibility for my error rests with Walt Whitman himself, with Mr. Ring Lardner, Mr. Sherwood Anderson, and Mr. Sinclair Lewis? I had been reading these writers and thinking how magnificent a language American is, how materially it differs from English, and how much I envy it the power to create new words and new phrases of the utmost vividness. I had even gone so far as to shape a theory that the American genius is an original genius and that it has borne and is bearing fruit unlike any that grows over here. But in deference to your correspondent I hasten to cancel these views and will note for future use that there is no difference between England and America; climate and custom have produced no change of any sort; America is merely a larger England across the Atlantic; and the language is so precisely similar that when I come upon words like boob, graft, stine, busher, doose, hobo, shoe-pack, hiking, cinch and many others, the fact that I do not know what they mean must be attributed to the negligence of those who did not teach me what is apparently my native tongue.

Having thus admitted my error, may I "just as a matter of curiosity" ask to be enlightened on another point? Why, I wonder, when I say that Henry James did not write English like a native, is it assumed that I intend an insult? Why does your correspondent at once infer that I accuse the Bostonians of talking Choctaw? Why does he allude to "condescension" and refer to "us poor benighted Americans" and suppose that I look upon them as "newcomers to the English language" when I have said nothing of the sort? What have I done to make him angry? Lowell's essay "On a Certain Condescension in Foreigners" (for such he apparently thought the English) should, I think, have for pendant "On a Certain Touchiness in"—dare I say it?—"Americans." But may I implore you, Sir, if I use that word, not to infer that I thereby imply that you wear a pigtail and paint your forehead red? If I speak of "Americans" it is merely because our common ancestors some centuries ago agreed, for reasons best known to themselves, to differ.

London, England. VIRGINIA WOOLF.

SIR: I deplore the tone of this controversy. It is true that Mr. Cooke is touchy, but it is also true that Mrs. Woolf takes rather a perverse view. No one will dispute that English is spoken and written differently in England and in America, but English English and American English are not so different as Mrs. Woolf—and as certain American writers themselves—would have us believe. If they were as different as all that, The New

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Republic would never be able to publish Mrs. Woolf's articles. As a matter of fact, American writers do write as "unconsciously" as English ones (does Mrs. Woolf suppose that Walt Whitman learned the language he wrote in like Latin?)—and one does "feel the past of the word . . . its associations and attachments" in what they write. The difference is simply that in the case of American writing, the associations and attachments are partly those which, during the past two or three hundred years, have been acquired in North America, instead of in the British Isles. Behind both English and American English lies the much longer past of English literature and speech which Americans and Englishmen have in common. Thus, for example, though there is so much that is Yankee in the accent and vocabulary of Emerson, there is at least as much of the Elizabethan poets whom he was always reading; and even H. L. Mencken, our most conspicuous champion of an "American language," owes a good deal of his pecular flavor and humor to his combination with American slang of a curious literary vocabulary which sounds as if it had been derived from Restoration comedies and eighteenth-century novels.

What is the use of pretending that the English spoken by Englishmen and the English spoken by Americans are actually two different languages? There are quite enough different languages already, and they have caused quite enough trouble. The so-called American language is partly merely American slang (a good deal of which is taken over by the English, as we take over a good deal of theirs), and illiterate English written in the United States. Ring Lardner, for example, is merely an expert in different kinds of American illiteracy and slang, and in his stories about New York actors, western baseball players, etc., he is doing precisely the same sort of thing that Kipling has done in those stories where he makes Irish soldiers and Scotch engineers talk. I don't know whether Mrs. Woolf supposes that all the different characters and authors of all the different American books which she reads are speaking the same picturesque tongue, and that this is "American." But I can assure her that, in America, as elsewhere, there is a good deal of difference between North and South, East and West, rich and poor, town and country, etc., and that the speech of one kind of American may often seem as strange to another as Burns or William Barnes must do to a Londoner. In the meantime, there is a standard English intelligible all over the United States, and intelligible also, apparently, to English people—so that it is still possible for Mrs. Woolf and Mr. Cooke to carry on a correspondence without referring to a grammar or a dictionary. (Incidentally, Henry James was born, not in Boston, but in New York, and bitterly resented being taken for a New Englander.)

EDMUND WILSON.

New York City.

Security for the Aged

SIR: Your readers may be interested in the Second National Conference on Old Age Security, which is to be held in New York City on Friday, April 26.

The speakers will include Dr. E. M. Burns, Columbia University, formerly, London School of Economics; Hon. C. C. Dill, Baltimore; Thomas Kennedy, Secretary-Treasurer, United Mine Workers of America; Murray W. Lattimer, Industrial Research Counselors, New York; Hon. Seabury C. Mastick, State Senator, New York; William H. Matthews, Director, Association for Improving the Condition of the Poor; Bishop Francis J. McConnell, President, Federal Council of Churches of Christ; Royal Meeker, formerly Commissioner, U. S. Bureau of Labor Statistics; Francis Perkins, Commissioner, New York Department of Labor and Industry; Rev. John A. Ryan, Catholic University, Washington, D. C., and Rabbi Stephen S. Wise, New York.

Admission to the morning and afternoon sessions, to be held at the Community Church, is free. Tickets for the dinner meeting at the Town Hall Club ($2 per person) may be procured from the American Association for Old Age Security, 104 Fith Avenue.

ABRAHAM EPSTEIN,
Executive Secretary.

New York City.

What Have We to Do with Abroad?

SIR: Even to persons fairly well accustomed to the procedure of our Congress and Senate, it is surprising to note the number of senseless gestures it sometimes takes to make a government.

Not content with transforming the Kellogg Treaty into another piece of 100 percent Americanism by voting to build fifteen cruisers (under gesture titled "defense") for use in the wars they had just forsworn, these custodians of America now proceed to erect economic barriers between this nation and all other nations whose goods the American consumer finds it advantageous to purchase. This gesture is labelled with the shibboleth of the recent campaign—"farm relief"—and sub-classified "protection." It will be greeted with huzzas by the unsuspecting farmers, with approbation by the innocent public who recognize a tax only in its undressed, direct form, and with everlasting encomiums by Congressmen and Senators whose political success hinges in some way on the decrease in imports of their constituents' products.

The reactions from abroad are interesting, however irrelevant. Canada says politely that the American tariff is a matter for America, of course—though she does not quite feel called upon to conclude negotiations for a treaty so to improve transportation via the St. Lawrence waterway that farmers of the West will be "protected" soundly, economically and for all time, without tax to the consumer. The transportation solution of the farm problem is evidently too economic and non-political to be a gesture of any real significance for the public.

As for South America, it is happily taken for granted that Hoover's gesture of good will was more than sufficient to offset anything we might do now to disrupt trade relations with "those furriners." Cuba is scheduled for economic destruction in order that our domestic sugar production can hold on against the odds of Heaven itself, and at the expense of our consumers and those industries which find the island's purchase of their exports profitable. Argentina will suffer through the duties we place on her exports to us, duties that will increase the price of the manufactured articles we ship to her and which any attempted retaliation would further increase. And so on.

France, also, voices an inexplicable squeamishness over our "trade spy" system of examining the books of her firms which export to America. India, being unkind enough to produce jute so cheaply that our farmers are saved some millions of dollars by using that product instead of cotton, must be punished by a high tariff against jute. It is hoped that India will see the American viewpoint and so refrain from substituting a cotton crop for the obnoxious jute.

It will be interesting to note what this government by gesture process will do about exporting surplus products in case other countries are not too 100 percent to form cartels with acute disadvantage to the United States.

Washington, D. C. BARBARA GILES.

The Famine and the Farmers

SIR: There are many Americans who would rejoice to see this nation spend the price of one or two armed cruisers in purchasing and shipping cargoes of American grain to the twenty millions of people within the famine district of China. If I recall rightly, a similar action was taken some years ago in the case of a famine in Russia; and the Chinese are not less deserving.

Our government has in recent years expressed a strong interest in the welfare of the Chinese people. The help suggested would not only be consistent with the nation's expressed attitude, but such action, or even agitation for it, would have a great effect in calling the attention of all our people to the need of help.

Incidentally, such action would bring some relief to the American farmer also, thus serving the purpose for which Congress is to be assembled this spring. True, it would be only temporary relief for the farmer and the famine sufferer; this is the relief most needed. In a year or two the troubles of each group may be in a fair way of solution through factors now unforeseen. Of course, the other measures proposed for farm relief should be enacted.

Denver, Colo. F. S. KINDER.

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T. S. Eliot and the Church of England

For Lancelot Andrewes, by T. S. Eliot. New York: Doubleday, Doran and Company. 159 pages. $2.

THIS volume of essays by T. S. Eliot contains papers on Lancelot Andrewes and John Bramhall, two seventeenth-century English divines, and on Machiavelli, F. H. Bradley, Baudelaire, Thomas Middleton, Crashaw and Irving Babbitt. They are all distinguished by Eliot's unique combination of subtle and original thinking with simple and precise statement, and will be read by everybody interested in literature. T. S. Eliot has now become perhaps the most important literary critic in the English-speaking world. His writings have been brief and few, and it is almost incredible that they should have been enough to establish him as an intellectual leader; but when one tries to trace the causes of the change from the point of view of the English criticism of the period before the War to the point of view of the criticism of our own day, one can find no figure of comparable authority. And we must recognize that Eliot's opinions, so cool and even casual in appearance, yet sped with the force of so intense a seriousness and weighted with so wide a learning, have stuck oftener and sunk deeper in the minds of the post-war generation of both England and America than those of any other literary critic.

"For Lancelot Andrewes," however, is not, like "The Sacred Wood," a book merely of literary criticism. The essays which it contains have been selected by Eliot for the purpose of indicating a general point of view in literature, politics and religion. This point of view, he tells us in his preface, "may be described as classicist in literature, royalist in politics, and anglo-catholic in religion"; and it is to be further expounded in "three small books" called respectively "The School of Donne," "The Outline of Royalism," and "The Principles of Modern Heresy."

Eliot's ideas, in "For Lancelot Andrewes," appear chiefly by implication; and we run the risk of misrepresenting them in attempting to discuss them merely on the basis of this book. Still, Eliot has invited us to read this slender collection of essays as signifying classicism, royalism and anglo-catholicism, and it is difficult to know how else to write about it. The clearest and most explicit statement on the subject of religion which I can find is the following from the essay in which Eliot points out the deficiencies of Irving Babbitt's humanism: "Unless by civilization you mean material progress, cleanliness, etc. . . . if you mean a spiritual and intellectual coördination on a high level, then it is doubtful whether civilization can endure without religion, and religion without a church." One recognizes a point of view which is by way of becoming fashionable among certain sorts of literary people. Yet this usually presents itself merely as a feeling that it would be a good thing to believe rather than as a real and living belief. And, though Eliot lets us know that he does believe, his faith, as it appears both in these essays and in his recent poems, seems a faith entirely uninspired by hope, entirely unarmed with force—a faith which is merely, to quote his own epigraph, "ready to die."

Now, no one will dispute that the world, just at present, is badly in need of the sort of ideals which the Church was able formerly to supply; but it seems to me that the objection to Eliot's position is simply that the Church is now practically impossible as a solution to our present difficulties because it is so difficult to get educated people to believe in its fundamental doctrines—and that, even if a few first-rate men like Eliot manage to convince themselves that they do accept them, one cannot see how they can honestly contemplate the possibility of a renaissance of faith general enough to make the Church intellectually important again. I agree that, without a church, you cannot have anything properly describable as religion; and I sympathize with Mr. Eliot's criticism of certain substitute religions, like that of H. G. Wells, which try to retain the benefits of faith while doing away with the necessity of believing. You cannot have real Christianity without a cult of Christ as the son of God. But since it is plainly becoming more and more difficult to accept Christ in this role, it seems that we must do without both the Church and religion. The answer to Mr. Eliot's assertion that "it is doubtful whether civilization can endure without religion" is that we have got to make it endure. Nobody will pretend that this is going to be easy; but it can hardly be any more difficult than trying to believe that the intellectual leadership of the future will be supplied by the Roman Catholic Church or by the Church of England, or by any church whatsoever.

Nothing seems to me more sadly symptomatic of the feeble condition of modern literary people, of their unwillingness or incapacity to confront the realities about them, than the movement back to Thomas Aquinas—or, as in Eliot's case, back to Bishop Andrewes. It is not a question of the wisdom or the authority of Bishop Andrewes or Aquinas in their own day, when it was still possible for a first-rate mind to accept the supernatural basis of religion. But to argue, as, in the literary world, one sometimes finds people doing, that, because society is badly off without religion, we should make an effort to swallow medieval theology, seems peculiarly futile. If the salvation of civilization depends on such religious fervor as the present literary generation is capable of kindling—if it depends on the edifying example of the conversion of Jean Cocteau and the low blue flame of the later Eliot—then I fear that we must give up hope.

I was writing last week of John Dos Passos and his mirage of a social revolution. It seems to me that T. S. Eliot is a case of much the same kind: T. S. Eliot, like Dos Passos, is a highly cultivated American who finds it difficult to accept contemporary America; but, instead of escaping from the American situation by way of Greenwich Village radicalism and the myth of a serious-minded and clear-eyed proletariat, as Dos Passos tends to do, Eliot has gone to England and evolved for himself an aristocratic myth out of English literature and history. Eliot's classicism, royalism and anglo-catholicism, from the notion I get of them in his recent writings, seem to me as literary and lacking in plausibility as Dos Passos' class-conscious proletariat: it seems as difficult to imagine royalty and the Church becoming more, instead of less, important even in England as it does to imagine the American employees becoming less, instead of more middle-class. Most Americans of the type of Eliot and Dos Passos—that is, sensitive and widely read literary people—have some such agreeable fantasy in which they allow their minds to take refuge from the oppressions and perplexities about them. In the case of Mencken, it is a sort of German university town, where people drink a great deal of beer and read a great many books, and where they respect the local nobility—if only the Germany of the Empire had not been destroyed by the War! In the case of certain American writers from the South, it is an old-fashioned southern plantation, where men are high-spirited and punctilious and women gracious and lovely, and where the affectionate and loyal Negroes are content to keep in their place—if

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only the feudal regime of the old South had not perished! With Ezra Pound, it is a medieval Provence, where poor but accomplished troubadours enjoy the favors of noble ladies—if only that world were not as dead as Provençal! With John Dos Passos, it is a society of workers, disinterested, industrious and sturdy, but full of the gaiety, good-fellowship and frankness in which the Webster Hall balls nowadays are usually so disappointingly lacking—if only the American workers were not preoccupied with buying radios and Ford cars, instead of organizing themselves to overthrow the civilization of the bourgeoisie! And with T. S. Eliot, it is a world of seventeenth-century English churchmen, who combine scrupulous consciences with good prose—if it were only not so difficult nowadays for men capable of becoming good writers to believe in the Apostolic Succession!

Among these, writers like Dos Passos and Mencken stay at home and denounce America, while writers like Eliot and Pound go abroad and try to forget it. It is peculiarly hard for such men to get an intellectual foothold in our world: New York, particularly, at the present time, is like the great glass mountain of the Arabian Nights, against which the barques of countless young writers are continually coming to grief. And this is true not of the United States only, but more or less of the whole western world. Europe, industrially, politically and socially, is becoming more and more like America every day; and the European catastrophe of the War has left America demoralized, too. It is up to the young American writers to make some sense of their American world—for their world is now everybody's world, and, if they fail to find a way to make possible in it "a spiritual and intellectual coördination on a high level," it may be that no one else will be able to do it for them. That world is a world of many religions, but without the leadership of any church—and it is a world where, whatever reorganization one may prophesy for a democratic state, it is difficult to imagine the restoration of monarchy. It is a world in which T. S. Eliot's positive programs would not, therefore, seem particularly helpful. We shall, I fear, not be able to lean upon the authority of either Church or King, but shall have to depend for our new social and moral ideals on a resolute study of contemporary reality, and upon our own imaginations.

EDMUND WILSON.

The Spear-head of the League

The Origin, Structure, and Working of the League of Nations, by G. Howard-Ellis. Boston: Houghton Mifflin Company. 528 pages. $7.

THE author of this book has set himself the task of producing "a big book about the League" to fill a growing need in universities and among intelligent readers. The first volume, now at hand, has taken three years to prepare and is to be followed by Volume II on "The Record and Possibilities of the League," and Volume III, "A Survey and a Forecast toward World Polity," whose date of appearance is not forecast.

The average reader may be somewhat alarmed by this ambitious program, but he will be cheerfully disappointed. This book is not a digest, a juristic analysis, or an encyclopedia, but a volume written with an almost journalistic flow of language and instinct for the interesting. Yet the writer knows his subject, not only from documents, but from direct contact, while his background in history, international law, and world politics is so complete as to warrant the guess that this will be the standard work in English on the League for a number of years.

From introductory chapters tracing the development of the League idea, not in the writings of speculators, but in the practice of nineteenth-century statesmen, the author proceeds to an account of the origin of the Covenant, the functions of the League's organs and the role of those closely associated institutions, the International Labor Organization and the World Court. The detailed achievements of the League and these other institutions are left for a later volume.

Although the writer aims to make his facts "like Cæsar's wife, above suspicion," he justly questions the possibility of looking upon social and institutional facts with the detachment of an astronomer. Such facts, he tells us, "are man-made and we make them not in order to admire their beauty as things-in-themselves, but primarily so as to do what we want with them." Thus, while admitting faults in the structure and organization of the League, and deploring some of the burdens thrust upon it by the conditions of its origin, he has not failed to view them in their proper perspective. He looks upon the League as "a natural and inevitable growth out of the forces that have shaped our civilization," and as "the spear-head in a movement for regaining control in the twentieth century of the forces released in the nineteenth century." Thus it is clear, he thinks, that the objects of the League should appeal to everyone who wants the human spirit to dominate rather than to be dominated by its material environment, and he also thinks that its basic technique—"that of the clearing-house and that of the round table"—is the method best adapted to the present situation. "The forms will change but the fact has been accomplished, and it is a vast fact whose spreading consequences will shape human destinies as far ahead as we can see."

Intelligent American readers will not be surprised to find more of understanding than of praise for their government's policy since the War. The outlawry-of-war proposal, with its faith in a code and a court, he thinks, overlooks the fact that most dangerous controversies are not soluble by the application of law because the point at issue is change vs. the *status quo*. The Kellogg pact he regards "as of greatest psychological and so political importance," but, because of its relegation of the definition of self-defense to each party, it does not alter the legal position of war, while its article on pacific settlement is "juridically nothing but amiable verbiage."

QUINCY WRIGHT.

A Monument to Howells

Life and Letters of William Dean Howells, edited by Mildred Howells. New York: Doubleday, Doran and Company. Two vols. 955 pages. $10.

HOWELLS is one of the most disconcerting figures in our past. He came so near to being the great American novelist. He seemed to possess everything: the widest variety of experience afforded by his frontier Ohio boyhood, his journalistic training, his appointment at the age of twenty-four to be consul in Venice during the last years of the Austrian occupation, his pilgrimage to Cambridge and the subsequent editorship of The Atlantic Monthly, which brought him a constantly expanding horizon and an intimate knowledge of Boston, and, later, his equally wide contacts with life in New York. Add to

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this, critical penetration which understood the superiority of Balzac, Flaubert and Tolstoy to Thackeray and Dickens, and made him the vigorous champion of realism; and, above all, the perfection of a style as deliberately clear as it was unaffected. When you set down all these qualities, you wonder why it is that even the names of most of his books are now forgotten. Then you recall that, in spite of the acute power of many passages, the account of the street-car strike in "A Hazard of New Fortunes," the dinner party in "The Rise of Silas Lapham," where the pathos of the self-made man trying to cope with the inbred Boston taboos is revealed with extreme poignancy, in spite of an abundance of accurate description and lambent irony, not one book seems to realize itself as a whole. There is always a strange dying away of the creative energy, an impalpable thinness which Howells himself came close to defining when he wrote to Charles Eliot Norton in 1905 with regard to certain critical remarks that had been made about him by Henry James:

> In a way I think their criticism very just; I have often thought my intellectual raiment was more than my intellectual body, and that I might finally be convicted, not of having nothing *on,* but of the worse nakedness of having nothing *in.* He speaks of me with my style, and such mean application as I was making of it, as seeming to him like a poor man with a diamond which he does not know what to do with; and mostly I suppose I *have* cut rather inferior window glass with it. But I am not sorry for having wrought in common, crude material so much. That is the right American stuff. . . I was always as I still am, trying to fashion a piece of literature out of the life next at hand.

His aim was so right that it is hard to see just what caused the arrow to waver on its way to the mark. Certainly his curiosity and interest in his country were unflagging. Nothing in these letters stands out with greater sharpness than his growing perception of our national tendencies. In 1862 he is writing from Venice about "the strife and combat, which make America so glorious a land for individuals," and reminding his sister Victoria that as a people we are "so much purer and nobler and truer than any other." By 1887 he has undertaken the defense of the Chicago anarchists with an outspokenness equal to that of present-day writers in the cause of Sacco and Vanzetti, and with the same helpless frustration. He has now progressed to the point of despair about the ruthless competition that had formerly seemed so splendid, and declares that "after fifty years of optimistic content with 'civilization' and its ability to come out all right in the end, I now abhor it, and feel that it is coming out all wrong in the end, unless it bases itself anew on a real equality." Similar strictures appear frequently in his later books, and yet somehow, in spite of all his observation and all his honesty, there is in him a kind of nice restraint which amounts almost to complacency. He is always perfectly controlled: his words flow in a quiet stream, they never boil or snarl through any rapids. He once wrote to Henry James about the fascination of New England, "a sort of strange, feminine fascination. It is like a girl, sometimes a young girl, and sometimes an old girl, but wild and shy and womanly sweet, always, with a sort of unitarian optimism in its air." This spirit is Howells' passionless muse.

It is ungracious to convict a man from his own frank words. Howells had no illusions about his achievement: he wrote enthusiastically to James about "the fullness, the closeness, the density of your work"; he felt that his own was meager beside it. He was forever saying how Mark Twain would "bask in the same light with Cervantes and Shakespeare" when his name would be forgotten. So it is better to remember that both Stephen Crane and Frank Norris felt everlastingly indebted to him, and that Howard Pyle wrote to tell him that he had "done more than any other living man in his country to teach a younger generation what is true art as distinct from what is false." Perhaps the next generation will see more than we do in his cool, classic pages. At least social historians will discover nowhere else such a complete picture of every-day American existence in the last half of the nineteenth century. But for the time being these two volumes of Howells' letters stand as a monument to what Stephen Crane called his "kind, benevolent life," unhappily with no more meaning for us than most monuments have.

F. O. MATTHIESSEN.

Made in Germany

Interlude, by Frank Thiess. Translated by Caroline Frederick. New York: Alfred A. Knopf. $2.50.

The Persians Are Coming, by Bruno Frank. Translated by H. T. Lowe-Porter. New York: Alfred A. Knopf. $2.50.

Heart of Alsace, by René Schickele. Translated by Hannah Waller. New York: Alfred A. Knopf. $3.

IN A literary way, at least, Germany has come back into the society of nations. Of the post-war German novels which are being translated in ever greater numbers, the average is higher than that of any other European country. Such names as Mann, Feuchtwanger, Zweig, Neumann, Thiess, von Unruh, Frank and Schickele represent a growing achievement in national literature of which any country might be proud.

"Interlude," by Frank Thiess, is written in a manner more reminiscent of Hauptmann than of Mr. Thiess's earlier novels. It is perhaps an interlude in more ways than one, for it does not form a part of that trilogy which he began with "The Gateway to Life." "Interlude" is the story of an idyll—a middle-aged architect, divorced for a number of years, and the wife of one of his best friends fall passionately and reprehensibly in love with each other, run away together, and live in concealment for a year. Their retreat is finally discovered by the husband, who is partly a wise man and partly a great fool, and he arranges a meeting: they discuss the affair amicably, and take up again their old, socially correct, if somewhat battered, relationships. The story is told with conviction and restraint, and as we read it moves our ready sympathy: we feel that each of these three unhappy mortals has acted throughout with the best will in the world. And how sad that is! On second thoughts, we see that such a coincidence is too good to be true.

"The Persians Are Coming" is a book which Americans would do well to ponder, for it is an expression of a European (as opposed to a "German," "French," or "English") point of view. Its author has taken Europe as an analogy to Grecian civilization, threatened by the massing forces of barbarism in Asia and America. But Mr. Frank is no Pan-German or even Pan-European jingo: the defense against the barbarians is not to be force, but consciousness of unity—the unity of a common civilization, and common interests. "This time the Persians are coming from the West to threaten the Mediterranean. And our Salamis has an uninspiring battle-cry: economic coöperation." Herr Carmer, awaiting on the Riviera the news that is to recall him to Germany, to

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head the new ministry, spends forty-eight hours in "unofficial" conference with Achille Dorval, the Foreign Minister of France. When Dorval leaves him in Marseilles, they are in close agreement, and the prospects of peace in Europe look at least hopeful. But the author is so little of a propagandist that he can end his drama with a sudden and sinister curtain. Carmer, with several hours to kill before his train leaves for Berlin, strolls unthinking into the Cannebière, an almost sub-human haunt of the city; he wanders further and further, is lost, tries to turn back; and there, in a blind alley, is set upon and murdered.

"Heart of Alsace" is a continuation of an earlier book, "Maria Capponi." Claus von Breuschheim, an Alsatian who has fought on the German side, returns to his family estate, to settle down to a quiet life with his family and his motherless son. But he soon discovers that Alsace is no longer a quiet place. The country is torn with intrigue between the French and the German factions, with the Communists and the autonomists hurrying to join the fray, so that those Alsatians like Claus and his father, who want merely to be let alone, find that the preservation of their integrity is the devil's own job. Ernst, his older brother, who has also served in the German army during the War, is now a leader in the pro-French party, and the head of a secret society, the truculent Rhine Guards. The ensuing family civil war is a picture *in parvo* of the troubles of Alsace. Claus is not a tragic figure: he is reserved for a happier and more bucolic fate; but a slight shift of emphasis might well have given Ernst the hero's part.

To citizens of a country that never has had frontiers (in the European sense), "Heart of Alsace" may be a surprise; may perhaps be something of an eye-opener; and it may tend to correct a little our impression—derived chiefly from the flag-draped statues of Strasbourg and Metz in the Place de la Concorde—that Alsace-Lorraine has been rescued from the devils, by angels, and is now in paradise. If such a book arouses in us no fellow feelings at all, it may at least draw our eyes for a moment to an unfamiliar aspect of life in lands less blessed—even though our glance should be, as doubtless it will be, the stare of the Pharisee at the Publican. T. S. MATTHEWS.

A Czech Machiavelli

My War Memoirs, by Eduard Benes. Translated by Paul Selver. Boston: Houghton Mifflin Company. 512 pages. $7.50.

IT IS doubtful if any other book could serve quite the same purpose for the student of modern history and politics as the "memoirs" of Dr. Benes. To the general reader the diary might be dry. Principles are seldom discussed. The emotions of the politician were completely absorbed in the task of freeing his people. It is only in very careful reading that one feels these precisely detailed events in their proper atmosphere of political passion, secrecy and confusion. But to anyone who wants to understand how the Czechs consciously manipulated events and their own resources to wrest acknowledgment of their rights from the Allies, this book is invaluable. Here we see how tenaciously they held to the idea that the Austrian Empire must be destroyed and how they struggled to keep their kin, the Slovaks, from separate adventures toward freedom. The façade was Masaryk, dignified, scholarly, eloquent. Benes was in a cold fury of work behind the scenes.

As early as 1916, the professor's calmly stated case for his people, and the secretary's devoted political skill, brought French leaders to a public declaration of sympathy with the Czecho-Slovak movement. In the next year, while Masaryk worked in England, Stefanik in Russia, and Benes in France, the Allies were persuaded to state in their note to President Wilson that the freedom of the Czecho-Slovaks was an issue between themselves and the Central Powers. Prisoners of Czecho-Slovak blood, taken by the Allies from the Austrian armies, were, after long negotiations, re-armed to fight on the Allies' side. The million or more Czechs in America sent encouragement, largely financial, and kept the cause before the American people. The prisoners in Russia, unwilling to fight for Austria or to mix in the dissensions around them, made their long "anabasis," as Benes calls it, eastward through Siberia, and stirred the imagination of the world with their heroism. None of these things was of real military importance. They were political gestures, and the genius of Benes and his helpers made them good for political advantage.

Very rarely, Dr. Benes permits himself to be human and speak of his own sacrifices. He gives a passing description of the national character, "its vitality, its perseverance, its common-sense methods of handling a situation, but at the same time its tendency toward contentiousness and undue sensitiveness." Mainly he is interested in showing how "our state was established deliberately, step by step, by laborious creative work, which had been planned with due regard for the political and psychological factors involved."

The "memoirs" are as free of sentiment as "The Prince," but this Machiavelli tells of actual successes in a justifiable cause, and his textbook in political realism, without hypocrisy or illusion, is a revelation of the immense abilities of the leaders of the new state.

LYMAN BRYSON.

The Motives of Proteus

The Motives of Proteus, by José E. Rodó. Translated from the Spanish by Angel Flores. New York: Brentano's. 378 pages. $4.

THIS BOOK is an essay in the art of living. Proteus is man as he must be if life is to have meaning for him. "Our life," says Rodó, "is either a perpetual self-renewal or a languid death." In studying man's motives Rodó shows how this renewal can be made a conscious and directed change. His method is not that of analysis. Examples and parables are his means of exposition, and they flower spontaneously from the text. Rodó's graceful and dignified prose serves to evoke whatever picture or mood he desires. The scenes arise complete in color and fragrance and design. As they succeed one another, the significance and scope of the book gradually widen until finally it represents a complete and self-consistent conception of the world.

Rodó has been called a philosopher. In the widest sense of the word he is one, but not a philosopher who can be assigned to any school. Metaphysics does not interest him. The dogma of religion and the dogmatism of rationalism are alike foreign to his way of thought. He is an eclectic, but his eclecticism is that of the artist. The concrete and the personal stand always foremost in his mind. Whatever helps the individual to wider and clearer understanding is good, and it remains good until a higher

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and more helpful point of view is found. Then it is to be unhesitatingly relinquished, but not forgotten. The grace and fragrance of old faiths can be retained to add fullness to the new. This kind of pragmatism is rare. It requires a form of detachment that is possible only to the very cultured.

But the charm of the book lies rather in its revelation of the author's spirit than in the ideas it contains. There is something infectiously gracious and sympathetic about Rodó. He beguiles the reader into his own tolerant and sensitive attitude, he enlists his enthusiasm for those disinterested and spiritual ends which stir his own pulses and which, he firmly believes, give zest and meaning to existence. There is no harshness nor stridency anywhere in the book. Rodó goes his unhurried and unembittered way with nothing but silence for what he does not approve and with a full and delicate appreciation for anything that makes for beauty and for harmony.

At the time of his death in 1917, it is said that he was exercising a sort of spiritual sovereignty over all of South America. This book—the first of his works to be translated into English with the one exception of "Ariel," a long essay published in this country seven years ago—makes the claim seem credible enough. Its unobtrusive excellence is of a sort which, one can easily imagine, would quietly and irresistibly lay hold upon a people gifted to an unusual degree with poetic sensibility. DENVER LINDLEY.

Falmouth for Orders

Falmouth for Orders, by Alan J. Villiers. New York: Henry Holt and Company. 301 pages. $5.

AT the risk of being overwhelmed by sailing-ship experts, this book must be described as belonging to the highest class of marine literature. It will, in my opinion, take its place near Dana's "Two Years Before the Mast." It is a brilliant and valuable record of life afloat in one of the finest and one of the last of the great wheat carriers. By a lucky chance the author is not only an able seaman but an able writer. The combination is important because it is comparatively rare. At the right moment the right man appeared to participate in and report upon the most recent of the famous races to Falmouth for orders. Mr. Villiers, working at the time as a reporter on the Mercury, a newspaper of Hobart, Tasmania, a married man into the bargain, heard that the "Herzogin Cecilie," with whose commander he had once sailed, was sailing with the Swedish bark "Beatrice" from Port Lincoln to England. The "Herzogin Cecilie" was discharging floor-boards and paper pulp at Melbourne. Mr. Villiers went over and joined her as A. B. He told Captain De Cloux what he wanted to do, and that highly competent shipmaster gave his reluctant consent. Mr. Villiers wanted to record, before it was too late, the heroic days of modern sail. He had his camera with him, and for his pictures we who read his book are duly thankful. But far more valuable than even those unusual photographs, of men clustered on the topsail yard and so forth, is the narrative of a noble voyage round the Horn.

Mr. Villiers' style is lean and sinewy. There is not, in a literary sense, a single ounce of fat on him. Yet he can give us eloquence, and inspire us with a great love for his subject. Hear him on "the glory of the roar of the wind in the ship's steel rigging." He says:

> A score-odd notes are heard here, if you listen closely, if you listen carefully into the sullen great roaring that drowns everything at first. There is the plaintive moaning of the rigging screws, each with a different note; the sighing through the slackened running gear, and the mad roar of the wet and powerful backstays. Out on the yards there is a different note again, the noise of a powerful wind meeting powerful canvas, and sending the good ship on; and down there on deck, far, far below, where puny figures haul on ropes and a big figure that is the mate stares aloft, is the crashing and the booming of the seas that break aboard.

And let not the lay reader fear to launch out upon this voyage. Mr. Villiers speaks not merely as a sailor. He is a newspaper man. He is aware of how little we know of nautical terms, and he explains them in the most satisfying and simple way. I have never read a book on sailing ships where so many sea terms have been explained so that an ordinary human being, provided he or she has seen a ship, can understand them. He blends the whole narrative into a harmonious whole without once giving way to journalese. Without a single sob he reaches Falmouth for orders. And he had a girl stowaway on board. How many newspaper men could have resisted making that girl the central figure of the book? Mr. Villiers resists. He knew shorthand, so when she was discovered he was present to take down the minutes of the mate's inquiry. The captain, you observe, was never officially aware of her presence, though as a matter of fact he cut down a pair of his old shore-going shoes to protect her feet. Now the mate, Harold Lindfors, was twenty-two. The stowaway, a school-teacher, was twenty-three, and our author was twenty-four. The captain, forty-three, was the only person on board over twenty-nine years of age. And they arrived at Falmouth, after ninety-six days at sea, without any emotional disaster whatever. They were all, of course, what are called Nordics, Swedish-Finns, Germans and English, which may mean something or not, as the reader is swayed by his prejudices. But Mr. Villiers, handy though he was with his camera, does not clutter his pages with pictures of the stowaway. He does not even mention her name. She was out of the picture. Being a good newspaper man, he got her story, and tells it in her own words, which are very good words. She throws a light on the vexed question, why girls leave home. But anybody can see that Mr. Villiers' real love and interest is for that gracious lady "Herzogin Cecilie," flying round the Horn with her four thousand tons of wheat, a thing of beauty and a joy, in memory at least, for ever. WILLIAM MCFEE.

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Art Studies: Medieval, Renaissance and Modern. Cambridge: Harvard University Press. 221 pages. $3.50.

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to quote a title at random—"Hell in the Florentine Baptistery Mosaic and in Giotto's Paduan Frescoes," the desk and the mind are cleared for action. The size and weight of the volume give away its character; it is for the desk, for the worker in these fields of criticism.

And yet, in the midst of all this fine seriousness, one finds a learned article which begins: "I have been amusing myself lately by playing with the Sforza triptych of the Brussels Museum." The lightness surprises, and one wonders if this sounds exactly professional. The photographs, however, are exceptionally interesting to the widest audience, one of their merits lying in their unusual subject-matter. Those illustrating the early Christian Swedish sculpture will open the eyes of people who know only that of the French and Italian Romanesque work. This whole article on Sweden, one of the longest in the volume, is almost thrilling in opening the door, to most of us, to a new land of which we know virtually nothing. It is perhaps in this way that this series may prove useful to the general public; for the stimulation received from a fine article and fine photographs can only lead to a discerning taste and a more perceptive eye—the objects, possibly, of general artistic education—and may serve to whet the public appetite for the great things which these educators can provide.

F. A. C.

Wit, Weight and Character

Dark Hester, by Anne Douglas Sedgwick. Boston: Houghton Mifflin Company. $2.50.

They Still Fall in Love, by Jesse Lynch Williams. New York: Charles Scribner's Sons. $2.50.

Dynasty, by Clarence Budington Kelland. New York: Harper and Brothers. $2.

"I WILL be weighty," thought Mr. Kelland, and wrote a book about the development and expansion of a mighty business; "I will be witty," thought Mr. Williams, and plunged an idealistic young scientist into a materialistic society in order to watch his amusing struggles. Both authors are objective; only Mrs. Sedgwick, whose book I am reserving for the *bonne bouche,* lets her characters interpret themselves. In "Dynasty" Mr. Kelland harks back some fifty years and shows Hiram Bond just as he is beginning to make himself felt in the manufacturing business which dominates the small town of Carthage. Hiram Bond is the symbol of Big Business; from obscurity he rises to a position of trust, responsibility, and finally tremendous wealth and power; he struggles, expands, ramifies, rides roughshod over competitors (although, as you may well imagine, he is the kindliest of souls to his family), and indulges in deals, transactions, *coups* and *tours-de-force* too vast for the mind of man to grasp, and too rapid for the eye to follow.

Mr. Kelland's book is advertised, with more enterprise than reason, as "the answer to 'Babbitt,'" and it is true that Bond is without pettiness or self-deception. But you cannot properly lend glamor to the life of a clerk in Wall Street by describing the activities of J. P. Morgan, or interpret a second lieutenant in terms of General Pershing. Babbitt is the man in the street; Hiram Bond is the man in a million. In fact he is hardly a man at all, but a machine. Just what wound him up so that he ran for forty-five years without apparent motivation (the old tycoon is still steaming along when the book ends) is not made clear. The author's treatment of business conditions is knowing and complete, but his hero fails, by virtue of

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a complete lack of tastes, social ambition, vices, or even a desire for money, to justify his perpetual up-hill struggle.

A plutocrat of a very different stripe is Mr. Monteagle, father of the girl in "They Still Fall in Love." Amply provided with all the appurtenances of wealth, he sees to it that all the characters, as well as the readers, are made giddy by a constant swirl of yachts, private cars and country houses. His daughter Evelyn belongs to the post-war generation, and it is Mr. Williams' thesis that this particular group of society, consciously anti-sentimental, is, for all its theories that "love is nothing but the biological urge with a little smear of sentimentality over it," at heart as romantic as the Knights of the Round Table. He develops this idea convincingly in the love affair of Evelyn and the young scientist, Harrison Cope, but the book is too replete with high-powered dialogue and self-conscious paradox. The plot merely serves as a vehicle for an analysis of a social condition that might have been treated more effectively in a short essay.

This cannot be said of "Dark Hester," whose author easily carries off the literary laurels in this little trio of established fiction writers. The conflict between Monica Wilmott and her daughter-in-law is so pure an outgrowth of their characters that only a novel could do justice to the theme. With unusual delicacy and lack of partisanship Mrs. Sedgwick shows the two women, both sincere, each respecting the other, yet at opposite poles in their mental and emotional attitudes. Monica, in the prime of life, long widowed, has devoted her life to her only son, Clive. His marriage to Hester, modern, free-thinking, with no roots in the past, destroys the old relationship. Everyone is animated by the noblest of sentiments, but in spite of good intentions on both sides, terrific emotional crises result. Mrs. Sedgwick is not so much concerned with the time-honored mother-in-law situation so oft recorded in song, fable and two-line joke, and treated by such different maestros as Dorothy Dix and D. H. Lawrence, as with the clash of representatives of two contrasting social orders. In the end there is a reconciliation that does not quite ring true. My only other criticism is with poor old Clive. How could the vigorous Hester fall in love, and stay in love, with such a weakling? Honest sentiment in Mrs. Sedgwick's women characters sometimes becomes sentimentality in the men. GEOFFREY T. HELLMAN.

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